

NINETIETH DAY

(Monday, June 16, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Garland
Allison	Gilmer
Alsup	Goodman
Avant	Halsey
Bailey	Hanna
Baker	Hardeman
Bean	Hargis
Bell	Harris of Dallas
Benton	Harris of Hill
Blankenship	Hartzog
Brawner	Helpinstill
Bray	Henderson
Bridgers	Hileman
Brown	Hobbs
Bruhl	Howard
Bullock	Howington
Bundy	Hoyo
Burkett	Huddleston
Burnaman	Huffman
Carlton	Hughes
Carrington	Humphrey
Cato	Isaacks
Celaya	Jones
Chambers	Kelly
Clark	Kennedy
Cleveland	Kinard
Coker	Klingeman
Colson, Mrs.	Knight
Connelly	Lansberry
Craig	Lehman
Crossley	Leyendecker
Crosthwait	Little
Daniel	Lock
Davis	Love
Deen	Lowry
Dickson of Bexar	Lucas
Donald	Lyle
Dove	McAlister
Duckett	McCann
Dwyer	McDonald
Ellis	McGlasson
Eubank	McLellan
Evans	McMurry
Favors	McNamara
Ferguson	Manford
Files	Manning
Fitzgerald	Markle
Fuchs	Martin
Gandy	Matthews

Montgomery	Shell
Moore	Simpson
Morgan	Skiles
Morris	Smith of Bastrop
Morse	Spacek
Murray	Spangler
Pace	Stanford
Parker	Stinson
Pevehouse	Stubbs
Phillips	Taylor
Price	Turner
Rampy	Vale
Reed of Bowie	Voigt
Reed of Dallas	Walters
Ridgeway	Wattner
Rhodes	Weatherford
Roark	White
Roberts	Whitesides
Sallas	Winfree
Senterfitt	

Absent

Sharpe

Absent—Excused

Allen	King
Boone	Mills
Dickson of Nolan	Nicholson
Heflin	Smith of Atascosa
Hutchinson	Thornton
Kersey	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"It is unto Thee, our Heavenly Father, that we look this morning, with praise for Thy loving kindness. Wilt Thou consider us according to Thy grace; and though wisdom's ways may seem narrow and difficult at times, do Thou help us to find the right, and to avoid error in our duties. Surely we need Thee, and do Thou be gracious unto us. In Jesus' name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Smith of Atascosa, for today, on motion of Mr. Roberts.

Mr. Howard, temporarily for today, on motion of Mr. Morse.

Mr. Heflin, for today and the balance of the week, on motion of Mr. Montgomery.

Mr. Mills, for today, on motion of Mr. Baker.

Mr. Boone, for today, on motion of Mr. Goodman.

Mr. Allen, temporarily for today, on motion of Mr. Markle.

Mr. Kersey, for today and the balance of the week, on motion of Mr. Carlton.

Mr. Dickson of Nolan, for today, on motion of Mr. Pevehouse.

Mr. King, for today and the balance of the week, on motion of Mr. Halsey.

Mr. Bell, for today, on motion of Mr. Morris.

Mr. Hutchinson, for today, on motion of Mr. Lehman.

Mr. Kinard, for this afternoon, on motion of Mr. Manford.

The following Members were granted leaves of absence on account of illness:

Mr. Nicholson, for today and the balance of the week, on motion of Mr. Burkett.

Mr. Thornton, for today on account of illness in family, on motion of Mr. Craig.

HOUSE BILLS ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Lock:

H. B. No. 1085, A bill to be entitled "An Act creating a Consolidated Road District No. 3 of Tyler County, Texas, under authority of Article 3, Section 52, of the Constitution of Texas, for the purpose of fully and fairly compensating original Road Districts Nos. 3 and 4 of said county in amounts equal to the respective amounts of road bonds outstanding against such included road districts respectively, and for the purpose of the purchase and construction of district roads therein, and for the purpose of the fur-

ther construction, maintenance, and operation of macadamized, graveled, or paved roads and turnpikes, or in aid thereof when authorized by a two-thirds majority vote of the qualified property tax-paying voters of said district, voting at an election for that purpose; making said road district a body corporate and taxing district under authority of Article 3, Section 52, of the Constitution of Texas, and providing that said Consolidated Road District shall have authority and be vested with the rights and shall function as provided by the General Laws of Texas for such districts; describing the territory comprising such district, and reciting that it contains all of original Road Districts Nos. 3 and 4 of said county, and overlaps a portion of original Road District No. 2 of said county, and providing that it shall not interfere in any manner with said Road District No. 2 in levying, assessing and collecting ad valorem taxes in payment of bonds of said Road District No. 2; providing it shall have authority to issue bonds and levy ad valorem taxes in payment thereof as provided by the General Laws enacted under the provisions of Article 3, Section 52, of the Constitution of Texas; and declaring an emergency."

Referred to the Committee on Counties.

Mr. Fitzgerald asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1086.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Fitzgerald:

H. B. No. 1086, A bill to be entitled "An Act declaring the recent flood in the City of Albany and elsewhere in Shackelford County to be a public calamity; donating and granting to the City of Albany, Texas, for a period of ten years one-half of the State ad valorem taxes collected in Shackelford County for general revenue purposes; declaring

the moneys so granted to be trust funds to aid said city in paying interest on and principal of and providing sinking fund for bonds or warrants hereafter issued by said city; specifying that the proceeds of such bonds or warrants be used exclusively in the construction of flood control works and improvements in conservation and utilization of water, in replacement of destroyed city lake, in repair and rebuilding of city waterworks system; prohibiting diversion of such moneys; specifying the reports to be made by the Assessor and Collector of collections of State ad valorem taxes for general revenue purposes and disposal thereof and providing for the payment over by him of the moneys collected; repealing Senate Bill No. 502, Regular Session, 47th Legislature; providing that if any provision of this Act shall be held invalid or unconstitutional the other provisions shall not be affected; and declaring an emergency."

Referred to the Committee on State Affairs.

Mr. Taylor asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1087.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Taylor and Mr. Gilmer:

H. B. No. 1087, A bill to be entitled "An Act to amend House Bill No. 930 of the Forty-seventh Legislature by adding thereto a new section to follow Section 1 thereof, and to be known as Section 1a, to provide that any unexpended balance in the sums of money appropriated to the Adjutant General's Department in House Bill No. 930, for the purposes stated, on hand August 31, 1941, are appropriated to the Adjutant General's Department for the purposes stated in House Bill No. 930 for the two-year period beginning September 1, 1941, and ending August 31, 1943; and declaring an emergency."

Referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE

Austin, Texas, June 16, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 500, A bill to be entitled "An Act amending Chapter 82 of the Acts of the 41st Legislature at its Regular Session entitled "An Act granting to cities located in any county in this State of less than one hundred thousand inhabitants according to the last United States census, etc., the right to execute leases not to exceed a period of ninety-nine years on islands"; etc., and declaring an emergency."

S. B. No. 464, A bill to be entitled "An Act amending Article 4549, Chapter 9 of Title 71 of the Revised Civil Statutes of the State of Texas as amended, etc.; and declaring an emergency."

S. B. No. 501, A bill to be entitled "An Act providing that corporations may be formed for the purpose of engaging in mining, agriculture, and stock raising; and declaring an emergency."

S. J. R. No. 20, Proposing an amendment to the Constitution of the State of Texas to draw and pay warrants for salaries to officers of the United States Army or Navy who are assigned to duties in State Institutions of higher education.

S. J. R. No. 21, Proposing an Amendment to the Constitution of the State of Texas authorizing the Legislature to appropriate Seventy-five Thousand Dollars or so much thereof as may be necessary to pay claims incurred by John Tarleton Agricultural College for the construction of a building on the campus of such college pursuant to deficiency authorization by the Governor of Texas on August 31st, 1937.

Adopted

S. C. R. No. 47, Authorizing the

State Board of Control to execute to the City of Austin and extension of the lease dated January 1, 1932, to be used as a municipal park and playground and as a site for the casting pool, etc.

S. C. R. No. 71, Granting permission to A. T. Mast, et al, to sue the State.

S. C. R. No. 73, Granting permission to A. T. Mast, et al, to sue the State.

S. C. R. No. 78, Authorizing Enrolling Clerk of the Senate to make certain corrections in Senate Bill No. 125.

Passed

S. B. No. 127, A bill to be entitled "An Act amending Articles 777 and 779 of the Code of Criminal Procedure of the State of Texas of 1925, defining certain terms, etc.; and declaring an emergency."

S. B. No. 130, A bill to be entitled "An Act amending Article 183 of the Code of Criminal Procedure of the State of Texas of 1925, providing that the time during which an indictment, information, or complaint has been pending shall not be computed in the period of limitation, etc.; and declaring an emergency."

S. B. No. 290, A bill to be entitled "An Act amending Article 6194 Revised Civil Statutes of 1925, as amended by Chapter 22, "Section 23, Commutation and Forfeiture," Acts of the Regular Session of the 40th Legislature, 1927, General Laws, fixing the commutation of time for good conduct for prisoners in the Texas Prison System, etc.; and declaring an emergency."

S. B. No. 360, A bill to be entitled "An Act amending Article 2960, Revised Civil Statutes of Texas, 1925, so as to include disabled veterans of foreign wars who are forty (40%) per cent disabled; and declaring an emergency."

S. B. No. 361, A bill to be entitled "An Act amending Article 2959, Revised Civil Statutes of Texas, 1925, so as to include disabled veterans of foreign wars who are forty (40%)

per cent disabled; and declaring an emergency."

S. B. No. 416, A bill to be entitled "An Act to amend Section 7, Article 3266, of the Revised Civil Statutes of 1925, so as to provide for the recording of the decision of commissioners in eminent domain proceedings in the minutes of the County Court, and repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

S. B. No. 453, A bill to be entitled "An Act fixing the compensation of county officers in all counties in the State of Texas having a certain population, etc.; and declaring an emergency."

S. B. No. 468, A bill to be entitled "An Act to provide for the validating and making effective, free and discharged, subsequent to March 30, 1925, from the Two (\$2.00) Dollars per acre annual rental payment of certain oil and mineral leases and renewals thereof, heretofore issued on river beds and channels owned by the State of Texas, etc.; and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE BILLS ON FIRST READING

The following Senate bills received from the Senate today were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

S. B. No. 500, to the Committee on Municipal and Private Corporations.

S. B. No. 501, to the Committee on Municipal and Private Corporations.

S. B. No. 464, to the Committee on State Affairs.

S. B. No. 127, to the Committee on Criminal Jurisprudence.

S. B. No. 130, to the Committee on Criminal Jurisprudence.

S. B. No. 290, to the Committee on Penitentiaries.

S. B. No. 360, to the Committee on Privileges, Suffrage and Elections.

S. B. No. 361, to the Committee on Privileges, Suffrage and Elections.

S. B. No. 416, to the Committee on Judiciary and Uniform State Laws.

S. B. No. 453, to the Committee on Counties.

S. B. No. 468, to the Committee on Oil, Gas and Mining.

SENATE JOINT RESOLUTIONS ON FIRST READING

The following Senate Joint Resolutions received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committee, as follows:

S. J. R. No. 20, to the Committee on Constitutional Amendments.

S. J. R. No. 21, to the Committee on Constitutional Amendments.

BILL LAID ON THE TABLE SUBJECT TO CALL

Mr. Montgomery moved that House Bill No. 190 be laid on the table subject to call.

The motion prevailed.

AUTHORIZING THE SALE OF CERTAIN PROPERTY

Mr. Skiles offered the following resolution:

H. C. R. No. 239, Authorizing the Sale of Certain Property by the Board of Regents of the Sul Ross State Teachers College.

Whereas, The Board of Regents of the State Teachers Colleges has heretofore authorized the sale of certain properties owned by the State of Texas and held and used for the benefit of Sul Ross State Teachers College at Alpine, Texas; and

Whereas, The property authorized to be sold consists of thirteen (13) cottages which are no longer needed by the college and against which a loan from the Hogg Memorial Loan Fund of \$23,000 exists; and

Whereas, It would be to the best interest and welfare of the State of Texas and Sul Ross State Teachers College that said property be sold and said loan paid off, and all bal-

ance in excess thereof made available to said college; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Board of Regents of the Texas State Teachers College be, and it is hereby, authorized and empowered to sell the hereinafter described property at the highest available cash prices, and said Board is hereby directed to apply all proceedings derived from any sales thereof to the payment of the loan on said property in favor of the Hogg Memorial Loan Fund; and said Board is further authorized and empowered to expend all money received from said sales in excess of the amount necessary to pay said loan in full for such purposes and in such manner as said Board may deem proper for the best interest and welfare of said Sul Ross State Teachers College; and

Be it further resolved, That said Board of Regents, through its President and Secretary, is hereby authorized to execute all necessary deeds and other papers necessary to convey title to said property. The property herein mentioned, and to which the provisions of this resolution apply, being more fully described as follows:

The West 5/6 of Lot 1, Block 1, of the Hancock 5/6 of Lot 1, Block 1, of Alpine, Brewster County, Texas, described as follows, to-wit:

Beginning at the Southwest corner of Lot 1, Block 1, of the Hancock Addition to the City of Alpine, Brewster County, Texas, same being the Southwest corner of said Block 1, for the Southwest corner of this tract;

Thence northerly and along the West boundary line of said Block, a distance of 47 varas to a point in the West line of said block, for the Northwest corner of this tract;

Thence easterly, and parallel to the North and South boundary lines of said block, a distance of 16 2/3 varas to a point for the Northeast corner of this tract;

Thence southerly and parallel to the East and West boundary lines of said block, a distance of 47 varas to a point in the South line of said

block, for the Southeast corner of this tract;

Thence westerly, and along the South boundary line of said block, a distance of $16 \frac{2}{3}$ varas to the point of beginning.

Parts of Lots 4 and 5 in Block 1 of the Hancock Addition to the City of Alpine, Brewster County, Texas, described by metes and bounds as follows, to-wit:

Starting at the Southwest corner of said Block 1; thence East, along the South boundary line of said Block 1, a distance of $66 \frac{2}{3}$ varas to a point in the South line of said Block 1, also being in the South line of Lot 4 in said Block 1, for the point of beginning;

Thence Northerly, and parallel to the East and West boundary lines of said block, a distance of $35 \frac{1}{2}$ varas to a point for the Northwest corner of this tract;

Thence Easterly, and parallel to the North and South boundary lines of said block, a distance of $16 \frac{2}{3}$ varas, to a point for the Northeast corner of this tract;

Thence Southerly, and parallel to the East and West boundary lines of said block, a distance of $35 \frac{1}{2}$ varas to a point in the South line of said block and also being in the South line of Lot 5 of said Block 1, for the Southeast corner of said tract;

Thence westerly along the South line of said Block, a distance of $16 \frac{2}{3}$ varas to the point of beginning.

The West five-sixth (W $\frac{5}{6}$) of Lot Number Ten (10), Block Number Sixteen (16), in the Hancock Addition to the town of Alpine, Brewster County, Texas, described as follows, to-wit:

Beginning at the Northwest corner of Block 16, Hancock Addition to the City of Alpine, Brewster County, Texas;

Thence East and along the North boundary line of said block, a distance of 46.25 feet to a stake;

Thence South and parallel to the Western boundary line of said block, a distance of 130 feet to a stake;

Thence West and parallel to the North boundary line of said block, a distance of 46.25 feet to a stake

in the West boundary line of said block;

Thence North and along the West boundary line of said Block 16, a distance of 130 feet to the point of beginning.

Parts of Lots Nos. 8 and 9, in Block No. 16, of the Hancock Addition to the City of Alpine, Brewster County, Texas, described by metes and bounds as follows, to-wit:

Beginning at a point $92 \frac{1}{2}$ feet East of the Northwest corner of said Block 16, of said Hancock Addition, same being the Northwest corner of this tract;

Thence East, and along the North boundary line of said Block 16, a distance of 46.25 feet to a point in said North boundary line, for the Northeast corner of this tract!

Thence South and parallel to the East and West boundary lines of said block a distance of 130 feet to a point for the Southeast corner of this block;

Thence West and parallel to the North and South boundary lines of said block, a distance of 46.25 feet to a point for the Southwest corner of this tract;

Thence North and parallel to the East and West boundary lines of said block, a distance of 130 feet to the place of beginning.

Parts of Lots Nos. Six (6) and Seven (7), Block Sixteen (16) of the Hancock Addition to the City of Alpine, Brewster County, Texas, described by metes and bounds as follows:

Beginning at the Northeast corner of said Block 16, the same being the Northeast corner of this tract;

Thence in a Southerly direction and along the East boundary line of said block, a distance of 130 feet, to a point in said East boundary line, for the Southeast corner of this tract;

Thence in a Westerly direction and parallel to the North and South boundary lines of said block, a distance of 92.5 feet to a point for the Southwest corner of this tract;

Thence in a Northerly direction and parallel to the East and West boundary lines of said block, a distance of 130 feet to a point in the

North boundary lines of said block, for the Northwest corner of this tract;

Thence in an Easterly direction and along the North boundary line of said block, a distance of 92.5 feet to the place of beginning.

Parts of Lots Nos. 1 and 2, in Block 16, in Hancock Addition to the City of Alpine, Brewster County, Texas, and described by metes and bounds as follows, to-wit:

Beginning at a point in the South Boundary line of said Block 16, a distance of 46.25 feet East of the Southwest Corner of said block;

Thence East and along the South boundary line of said Block 16, a distance of 46.25 feet to a stake;

Thence North and parallel to the Western boundary line of Block 16, a distance of 130 feet to a stake;

Thence West and parallel to the South boundary line of Block 16, a distance of 46.25 feet to a point for the Northwest corner of this tract;

Thence South and parallel to East and West boundary lines of said block, a distance of 130 feet to the point of beginning.

All of Lots 1 and 8 in Block 61, A. J. Tippet's re-subdivision of Block 61, Hancock Subdivision "B" in the City of Alpine, Brewster County, Texas, as shown by the re-subdivision map recorded in the office of the County Clerk, in said county, reference to which is hereby made for further description.

First Tract: Lot No. 3, Block 61, of the Hancock Subdivision "B" of the City of Alpine, Brewster County, Texas, according to the A. J. Tippet Revised map of said block.

Second Tract: Parts of Lots Nos. Four and Five in Block No. 1, of the Hancock Addition to the City of Alpine, Brewster County, Texas; described by metes and bounds as follows, to-wit:

Beginning at the Southeast corner of said Block No. 1, same being the Southeast corner of this tract;

Thence North, along the East boundary line of said Block No. 1, a distance of 47 varas to a point, for the Northeast corner of this tract;

Thence West and parallel to the North and South boundary lines of said block, a distance of 33 $\frac{1}{3}$ varas to a point for the Northwest corner of this tract;

Thence South and parallel to the East and West boundary lines of said Block No. 1, a distance of 11 $\frac{1}{2}$ varas to a point for corner;

Thence East and parallel to the North and South boundary lines of said Block No. 1, a distance of 16 $\frac{2}{3}$ varas to a point for corner;

Thence South and parallel to the East and West boundary lines of said Block No. 1, a distance of 35 $\frac{1}{2}$ varas to a point in the South boundary lines of said Block No. 1, for the Southwest corner of this tract;

Thence East and along the South boundary line of said Block No. 1, a distance of 16 $\frac{2}{3}$ varas to the point of beginning.

SKILES,
HUFFMAN.

The resolution was read second time and was adopted.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

Austin, Texas, June 14th, 1941.

To the Members of the House of Representatives of the Forty-seventh Legislature:

I am returning herewith, without my approval, House Bill No. 73, which is a bill lessening the penalty now provided by law for drunken and drinking driving of automobiles and striking from the statute on that subject the provision making it a criminal offense to operate an automobile on the street or highway when the driver is "in any degree" under the influence of intoxicating liquor.

This bill deals with a most important subject, as it would affect to a large degree the safety of life and limb, besides the enormous item of property damage, involved in the large and rapidly increasing motor traffic on the roads and streets of Texas by more than 1,700,000 regis-

tered motor vehicles belonging to Texas citizens, in addition to the many thousands of motor vehicles belonging to citizens of other States which daily traverse our highways. The bill seeks to amend the article of the Penal Code of Texas regulating the driving or operating of automobiles in this State by persons under the influence of intoxicating liquor, which reads as follows:

"Article 802. Any person who drives or operates an automobile or any other motor vehicle upon any street or alley, or any other place within the limits of any incorporated city, town, or village, or upon any public road or highway in this State while such person is intoxicated, or in any degree under the influence of intoxicating liquor, shall upon conviction be confined in the penitentiary for not more than two (2) years, or be confined in the county jail for not less than five (5) days nor more than ninety (90) days and fined not less than Fifty Dollars (\$50) nor more than Five Hundred Dollars (\$500.00)."

If House Bill No. 73 which I am returning herewith should become the law, it would amend this existing article in our Penal Code in at least two vital respects, either of which, I am convinced, would be most damaging to the public interest:

(1) It would strike from the existing statute the words "in any degree," which I have capitalized in the above quotation of the article, before the words "under the influence of intoxicating liquor." This would have the effect, by necessary implication, of amending the above quoted law making it a criminal offense to drive or operate an automobile by any person partially intoxicated or only in a "degree" under the influence of intoxicating liquor and require the State to prove in each case that the defendant was not only partially under the influence of intoxicating liquor but was entirely "under the influence."

It has not been long since this precise amendment proposed by House Bill No. 73 was tried out by the people of Texas. In 1935, after State and Federal prohibition were repealed, the Legislature amended

this same Article 802 of the Penal Code as herein quoted by striking out the words "or in any degree under the influence of intoxicating liquor," but left the article otherwise in substantially its present form. This action of the Legislature was followed by a substantial increase in the number of automobile accidents on the highways of Texas; and, two years later, at the first opportunity of the people of Texas to express themselves upon the subject, an Act of the Legislature of 1937 was passed which restored the bill to its present form as above quoted, which was substantially the form of the same Article 802 of the Penal Code prior to the passage of the Act of 1935.

In "Texas Traffic Accidents—1940," compiled and issued by the Department of Public Safety of Texas, on page 26, it is stated:

"In 1937, an (all) all-time high in economic loss from Texas automobile accidents was recorded. This amount reached the astounding figure of \$66,160,525. The years 1938 and 1939 brought sharp decreases in this amount, to \$47,084,425 and \$45,861,175 respectively.

"The year 1940, however, saw economic loss again soar well over the fifty million mark to \$50,906,275 (as compared with \$66,160,525 for 1937). This sudden rise over the two previous years can be attributed primarily to vast national defense activities in Texas and increased motor vehicle travel.

"The figures on the opposite page (those I have quoted) are based on the formula as follows: \$11,500 for each fatality, \$425 for each personal injury, and \$125 for each property damage accident. These amounts embrace funeral expenses, hospitalization, loss of personal earnings, damage to automobiles, personal belongings, etc."

Of course, all of the accidents mentioned in this report for the years in question were not caused or promoted by the use of intoxicating liquor but a very substantial proportion of them were of alcoholic origin, certainly more than ten per cent of the whole number.

As another example: A statistical compilation by the Safety Division of

the State Highway Department reported that the drinking driver and passenger were the cause of 249 deaths on Texas highways during the first nine months of 1939, or more than twenty per cent of the 1,098 traffic deaths during that period. (See Dallas News, Dec. 9, 1939.)

1937 was the year in which this amendment, substantially the same as the one provided in House Bill No. 73, was repealed and was the last year during any portion of which that amendment was effective. In the light of this official record, it would seem indisputable that public safety would not be subserved by the reenactment of this amendment proposed by House Bill No. 73, and which was repealed by the Legislature of 1937 after two years trial.

(2) Another amendment to Article 802 which is provided by House Bill No. 73 is revolutionary in its character and would undoubtedly enormously reduce and largely destroy the efficacy of the existing statute for the protection of life and limb on the streets and highways of Texas. Since this law, Article 802 of the Penal Code, was first enacted eighteen years ago, when the automobile traffic had first begun to appear on the highways of Texas, it has always provided that juries might inflict a penitentiary sentence for its violation, or it might be punished by fine and imprisonment in jail for a limited term at the discretion of the court or jury disposing of the case; but House Bill No. 73, for the first time in the history of this legislation in Texas, would take away from juries and courts all power to impose a penitentiary sentence for driving an automobile on a Texas highway or street while drunk or "under the influence of intoxicating liquor" unless the defendant shall have been convicted of the "misdemeanor offense" prescribed by House Bill No. 73 of driving or operating an automobile while intoxicated or under the influence of intoxicating liquor. Clearly this provision would wipe the slate clean as to hundreds of drunken and drinking drivers who have been convicted and fined or sent to jail for violations of the Penal Code prior to the enactment of House Bill No. 73 and would

expressly remove all danger or fear of a penitentiary sentence being imposed hereafter unless and until the defendant shall have been convicted of a misdemeanor under House Bill No. 73.

But we are told that juries will not convict defendants charged with drunken or drinking driving of automobiles if they are compelled to impose a penitentiary sentence. The history of Texas would seem conclusively to refute this theory,—from the days when the pioneers were fighting the horse thieves down through the days, beginning a half century or more ago, during which the Penal Code of Texas has always prescribed a felony penalty for stealing "any cattle or hog" or "any sheep or goat," regardless of value; followed by the days of the decade before prohibition when the Legislature of Texas, wets and dries alike, passed a statute under which so many bootleggers were sent to the penitentiary, making it a felony to sell liquor in any county or precinct or district where local option was adopted. However this may be, it is obviously wholly unnecessary to pass any law in order to relieve juries or courts of the necessity of imposing a penitentiary sentence for violating Article 802 of the Penal Code, for it expressly states that a person guilty of its violation may "be confined in the county jail for not less than five (5) days nor more than ninety (90) days and fined not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500)," or "confined in the penitentiary for not more than two years."

However praiseworthy the purpose of those supporting House Bill No. 73 may be,—and I have no grounds for criticizing anyone's motives nor any purpose to do so,—undoubtedly the result of this bill becoming a law would be to substantially increase the sale of intoxicating liquors to motorists in Texas and to substantially increase the number of fatal and nonfatal automobile accidents of drivers and pedestrians brought to our attention every day in the newspapers. There is already far too much of this traffic in alcoholic liquors sold to motorists in Texas. Along our high-

ways,—both the country roads and the streets of the cities and towns,—we see on every hand enormous and elaborate signs urging passing motorists to purchase and consume intoxicating liquors, and on the busiest streets in some of our leading cities varicolored electric signs, working twenty-four hours a day, flash legends urging passing motorists to stop and drink liquor. A prominent example reads: "Liquors. Stop and Shop."

The Constitution of Texas requires that any bill introduced in the Legislature shall contain only one subject "which shall be expressed in its title." I cannot escape the conviction that it is no exaggeration to say that the title of this House Bill No. 73 should state the obvious fact that it is a bill, the enactment of which will substantially increase the sale of intoxicating liquors to motorists in Texas and which will inevitably increase substantially the number of fatal and nonfatal automobile accidents on Texas roads and streets. This traffic of the brewers and the liquor trade in the sale of fatal and nonfatal automobile accidents on Texas highways for profit ought not to be encouraged or promoted by legislation. It ought to be stopped.

Article 802 as herein quoted is plain and simple and easy to be understood. It means what it says and says what it means and what it ought to mean. Certainly there is nothing harsh in giving courts and juries the power, in a case in which they have heard the arguments and the facts, to impose a penitentiary sentence of not more than two years; and who can doubt that when it should be heralded over Texas that a new law had been enacted expressly providing that no person guilty of driving an automobile while under the influence of intoxicating liquor should be sent to the penitentiary for his first offense hereafter committed, and could only be punished by a fine of not less than Fifty Dollars (\$50) nor more than Five Hundred Dollars (\$500), or by a jail sentence of not less than ten days (10) nor more than two (2) years, that there will be a substantial increase and a constantly accelerated increase in the drinking

of intoxicating liquors by motorists. The only safe rule is the rule adopted by the Texas Highway Commission, at the instance of a noble band of Texas women, the Texas W. C. T. U., when it posted two hundred fifty (250) signs on Texas highways bearing this unanswerable legend:

"If you drink don't drive;
If you drive don't drink."

There is no safety in any other rule.

The railroads of America settled this question after years of experience and study of the kindred subject of safety in the operation of railroad trains, and, years before prohibition was adopted, they united in adopting and strictly enforcing throughout the Nation their "Rule G," applying to all men in the railroad service on all railroads, which reads as follows:

"Rule G. The use of intoxicants while on or off duty, or the visiting of saloons or places where liquor is sold, incapacitates men for railroad service, and is prohibited. Any violation of this rule will be sufficient for dismissal."

Article 802 of the Penal Code of Texas ought not to be repealed or emasculated. Hundreds of human lives of Texas motorists, men, women, and children, will undoubtedly be saved, and hundreds of gruesome nonfatal automobile accidents on our roads and streets will be averted if it is preserved and strengthened and rigidly enforced.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas.

(Pending reading of the Governor's message, Mr. Skiles and Mr. Carlton occupied the Chair temporarily.)

(Speaker in the Chair.)

ADDITIONAL SIGNERS OF HOUSE BILL

By unanimous consent of the House, the following members were authorized to sign bill as co-authors of same, as follows:

Mr. Nicholson and Mr. Lowry:
House Bill No. 1084.

BILL ORDERED NOT PRINTED

On motion of Mr. Kinard, House Bill No. 1084 was ordered not printed.

RESOLUTIONS ADOPTED, AMERICAN LEGION, TRAVIS POST NO. 76

On motion of Mr. Rhodes, the following resolutions were ordered printed in the Journal:

American Legion
Department of Texas
Travis Post 76, Austin,
Texas

Whereas, Representative DeWitt Kinard one of the sponsors and the most active leader in securing the enactment of the Veterans' Preference Law in the Forty-sixth Legislature, and more recently the author of House Simple Resolution No. 272, requiring that the Speaker of the House, Homer Leonard, appoint three (3) Members to make an inquiry as to how many soldiers, sailors, marines, and nurses are employed in the Departments in this State, and if a Department does not have its full quota ascertain the reason why, and by which that law was made practical and of service to the Veterans and Veterans' organizations of Texas; now, therefore, be it

Resolved, That the Travis Post, No. 76, tender this expression of gratitude for this most outstanding and beneficial service, to Representative Kinard, and that a copy of this Resolution be sent to the House of Representatives, a copy to each American Legion Post in the 15th Floterial District, and a copy to Representative Kinard.

BERTRAM E. GIESECKE,
Post Commander.

J. E. McCLAIN,
Post Adjutant.

American Legion
Department of Texas
Travis Post 76, Austin,
Texas

Whereas, Representative D u r - wood Manford was the author of House Simple Resolution No. 272, requiring that the Speaker of the House, Homer Leonard, appoint three (3) Members to make an inquiry as

to how many soldiers, sailors, marines, and nurses are employed in the Departments in this State, and if a Department does not have its full quota ascertain the reason why, and by which that law was made practical and of service to the Veterans and Veterans' organizations of Texas; now, therefore, be it

Resolved That the Travis Post, No. 76, tender this expression of gratitude for this most outstanding and beneficial service, to Representative Manford, and that a copy of this Resolution be sent to the House of Representatives, a copy to each American Legion Post in the 67th Representative District, and a copy to Representative Manford.

BERTRAM E. GIESECKE,
Post Commander.

J. E. McCLAIN,
Post Adjutant.

American Legion
Department of Texas
Travis Post 76, Austin,
Texas.

Whereas, Next to the subject of rehabilitation, unemployment is one of the major problems confronting the American Legion today; and

Whereas, The Speaker of the House of Representatives, Homer Leonard, himself a World War Veteran and member of the American Legion, has rendered outstanding services in the Forty-seventh Legislature, especially in giving effect to House Simple Resolution No. 272 by the appointment of able and conscientious Members of the House of Representatives to carry out the provisions of said Resolution; and

Whereas, Homer Leonard has never faltered or failed the American Legion any time or anywhere during the many years of his service in the House; now, therefore, be it

Resolved, That the Travis Post No. 76 extend to Speaker, Buddy Homer Leonard, our deepest gratitude, especially for his assistance in procuring the passage of the Resolution aforementioned, by which countless Veterans and their families will thereby be enabled to secure employment in the various Departments of State Government; and, be it further

Resolved, That a copy of this Resolution be sent to the Texas Legion News, Department of Texas, a copy to the Forty-seventh Legislature, a copy to his Local Post, and a copy to Homer Leonard.

BERTRAM E. GIESECKE,
Post Commander.

J. E. McCLAIN,
Post Adjutant.

MESSAGE FROM THE SENATE

Austin, Texas, June 16, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Concurrent Resolution No. 223.

The following have been appointed on the part of the Senate:

Senators Martin, Isbell, Fain, Lovelady, Brownlee.

The Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 199.

The following have been appointed on the part of the Senate:

Senators Moore, Moffett, Hazlewood, Shivers, Stone.

The Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 963.

The following have been appointed on the part of the Senate:

Senators Hill, Mauritz, Lemens, Smith, Winfield.

Passed

H. B. No. 1060, A bill to be entitled "An Act creating Road District No. 6 of Tyler County, Texas, under authority of Article 3, Section 52 of the Constitution, maintenance, and operation of macadamized, grav-

eled, or paved roads and turnpikes or in aid thereof, etc.; and declaring an emergency."

H. B. No. 417, A bill to be entitled "An Act amending Article 190a, Revised Civil Statutes of Texas of 1925, by adding Childress County to the list of Counties named therein; and declaring an emergency."

H. B. No. 501, A bill to be entitled "An Act making it unlawful to take or kill wild deer in the Counties of Tom Green, Irion, Sterling, Reagan, and Glasscock for a period of five years; and declaring an emergency."

H. B. No. 537, A bill to be entitled "An Act amending Article 779 of the Revised Civil Statutes of Texas, 1925, so as to authorize the Commissioners Court to invest sinking funds in war-savings certificates, certificates of indebtedness issued by the Secretary of the Treasury of the United States, etc., and repealing all laws in conflict; and declaring an emergency."

H. B. No. 543, A bill to be entitled "An Act amending Article 2613, Revised Civil Statutes of Texas, 1925, authorizing the State Forester to designate certain of his employees as peace officers; and declaring an emergency."

H. B. No. 544, A bill to be entitled "An Act authorizing employees of the Texas Forest Service and such additional outside help of assistance they might call on to enter on any privately owned lands for the purpose of investigating and controlling forest and grass fires that appear to be or are burning uncontrolled; and declaring an emergency."

H. B. No. 663, A bill to be entitled "An Act to amend an Act for the promotion, protection, and development of the Commercial Potato Growing Industry of Texas, same being Senate Bill No. 158 of the Acts of the Second Called Session of the Forty-first Legislature, and being Article 117A of Title 4, Chapter 6, Vernon's Annotated Statutes of Texas, 1925, by amending Section 3 of said Act, etc.; and declaring an emergency."

H. B. No. 689, A bill to be entitled

"An Act amending House Bill No. 920 of the Special Laws of the Forty-third Legislature, Regular Session, 1933, making it lawful to trap or take possums, bobcats, and catamounts in San Augustine and Sabine Counties, etc.; and declaring an emergency."

H. B. No. 862, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas for current expenses, for support of public free schools, and for interest and sinking funds to pay bonded obligations heretofore authorized by the electorate, which levies are void and unenforceable because the governing bodies of such cities and towns failed to make such levies by formal ordinance or made the levies prior to final approval of the annual budget, etc.; and declaring an emergency."

H. B. No. 980, A bill to be entitled "An Act to amend Article 880 of the Penal Code of the State of Texas as amended by Chapter 47, page 1947, Section 1, Acts of the Second Called Session of the Forty-fifth Legislature; and declaring an emergency."

H. B. No. 995, A bill to be entitled "An Act to declare a closed season on the killing of wild deer and wild turkey in Throckmorton, Shackelford, and Haskell Counties for a period ending February 1, 1946, etc.; and declaring an emergency."

H. B. No. 1080, A bill to be entitled "An Act providing that all counties within this State, having a population of not less than eighty thousand inhabitants nor more than two hundred and twenty-five thousand inhabitants, according to the last preceding Federal Census, and in which there is located no Court of Civil Appeals, etc.; and declaring an emergency."

H. B. No. 425, A bill to be entitled "An Act to amend Article 5949, Revised Civil Statutes of Texas of 1925, as amended by Acts of the Forty-sixth Legislature, page 498, Regular Session, 1939, so as to provide for appointments of notaries public by the Secretary of State of the State of

Texas; and declaring an emergency." (With amendment.)

H. B. No. 161, A bill to be entitled "An Act amending Subdivision 30 of Article 199, Revised Civil Statutes of Texas of 1925, Acts of the Thirty-ninth Legislature, page 171, Chapter 39, as amended by Acts of 1933, Forty-third Legislature, Special Laws, page 139, Chapter 100, etc.; and declaring an emergency."

H. B. No. 1042, A bill to be entitled "An Act relinquishing to the City of Port Arthur, Texas, all right, title, and interest of the State of Texas in and to certain land described in House Bill No. 819, Special Laws, Forty-second Legislature, Chapter 181, approved May 18, 1931, etc.; and declaring an emergency."

H. B. No. 420, A bill to be entitled "An Act to regulate the sale and labeling of agricultural and vegetable seeds in the State of Texas; etc., and declaring an emergency."

H. B. No. 887, A bill to be entitled "An Act amending Sections 2, 5, and 10 of Chapter 506, Acts 1937, Forty-fifth Legislature, page 1494-a, as amended by House Bill No. 565, Section 1, Acts 1939, Forty-sixth Legislature; and declaring an emergency."

H. B. No. 1053, A bill to be entitled "An Act amending Section 5 of House Bill No. 194, Acts of the Forty-first Legislature, 1929, Chapter 292, page 656, by reducing the interest rate of bonds in which taxes remitted to the City of Port Arthur may be invested; and declaring an emergency."

H. B. No. 956, A bill to be entitled "An Act amending Chapter 7, Title 93, of the Revised Civil Statutes of Texas, 1925, as amended, by adding a new Article to be numbered Article 5708a, providing for the appointment of county sealers and deputy county sealers of weights and measures, etc.; and declaring an emergency."

H. B. No. 998, A bill to be entitled "An Act authorizing the separation or divorcement of public schools from municipal control in municipal school districts entirely surrounded by a county line common school dis-

trict, etc.; and declaring an emergency."

H. B. No. 891, A bill to be entitled "An Act to validate, ratify, approve, and confirm the acts of all housing authorities created by and organized pursuant to the Housing Authorities Law of the State of Texas, etc.; and declaring an emergency."

H. B. No. 933, A bill to be entitled "An Act to prohibit the use in Fort Phantom Hill lake of Jones and Taylor Counties of certain devices for catching fish, etc.; and declaring an emergency."

H. B. No. 936, A bill to be entitled "An Act providing that it shall be lawful in Cass County, Texas, for any person to kill, take, or have in his possession for barter or sale of any wild fox, etc.; and declaring an emergency."

H. B. No. 1046, A bill to be entitled "An Act to amend Section 1 of House Bill No. 808 of the Regular Session of the Forty-second Legislature, Chapter 69, Special Laws, page 157, as amended by House Bill No. 327 of the Regular Session of the Forty-third Legislature, Chapter 34, Special Laws, page 42, providing for the taking of catfish, perch, buffalo, and drum in the waters of Delta, Hopkins, and Franklin Counties, etc.; and declaring an emergency."

H. B. No. 1050, A bill to be entitled "An Act to amend Section 1, of House Bill No. 738 of the Thirty-fifth Legislature, Chapter 76, Acts, 1917, Special Laws, page 295, so as to change the name of the 'Remlig County Line Independent School District' to 'Brookeland Independent School District'; and declaring an emergency."

H. B. No. 1057, A bill to be entitled "An Act providing (1) an open season for quail in Cherokee County from December 1st in one year to January 16th in the following year, both days inclusive; (2) that it shall be lawful to kill quail in Cherokee County on Monday, Wednesday, and Friday, of each week after the 1st day of December, 1941, and continuing until and including the 16th day of January, 1942, etc.; and declaring an emergency."

H. B. No. 1069, A bill to be entitled "An Act prescribing the time of meeting of the County Board of School Trustees in counties containing a population of not less than forty-eight thousand, eight hundred and not more than fifty thousand, four hundred inhabitants, according to the last preceding Federal Census, etc.; and declaring an emergency."

H. B. No. 1070, A bill to be entitled "An Act providing that it shall be lawful to kill quail in Van Zandt County only on Monday, Wednesday, and Saturday of each week after the first day of December, 1941, and continuing until and including the 16th day of January, 1942, and during the same time for each year thereafter on the same days of the week, etc.; and declaring an emergency."

H. B. No. 1076, A bill to be entitled "An Act authorizing the qualified voters of Hooks Independent School District situated wholly within Bowie County, a District containing not less than fifty-nine square miles in area, and having an assessed property valuation of not less than Three Hundred and Seventy Thousand Dollars, to determine whether or not any such District shall levy a tax for maintenance and bond purposes, the maximum of which for both of such purposes shall not exceed One Dollar and Fifty Cents on the One Hundred Dollars valuation in any one year, etc.; and declaring an emergency."

H. B. No. 1034, A bill to be entitled "An Act authorizing the Commissioners' Court of Yoakum County to improve and maintain public roads and highways heretofore laid out or constructed, and to construct public roads and highways hereafter laid out by the County, whether such public roads or highways are inside or outside of any incorporated city or town in such county, etc.; and declaring an emergency."

H. B. No. 796, A bill to be entitled "An Act further regulating the sale, transportation, storage, manufacturing etc., of alcoholic beverages in this State under the Texas Liquor Control Act, etc.; and declaring an emergency." (With amendments.)

H. B. No. 1082, A bill to be entitled "An Act to amend House Bill No. 146, Acts of the Forty-seventh Legislature of Texas, authorizing the Commissioners' Court in certain counties to appropriate money for advertising and promoting the growth and development of such counties, etc.; and declaring an emergency." (With amendments.)

H. B. No. 898, A bill to be entitled "An Act amending Article 122 of the Penal Code of Texas of 1925; and declaring an emergency." (With amendments.)

H. B. No. 1038, A bill to be entitled "An Act providing for a closed season on wild deer and wild turkey in Upshur and Camp Counties for a period of five (5) years; prescribing penalties for the violation of this Act; repealing all laws in conflict; and declaring an emergency." (With amendments.)

H. B. No. 788, A bill to be entitled "An Act applicable to the County of Coke, State of Texas, prohibiting the transportation of minnows taken in said County beyond the borders of said County for the purpose of sale, etc.; and declaring an emergency." (With amendments.)

H. B. No. 703, A bill to be entitled "An Act creating the office of County Purchasing Agent in all Counties in this State having a population of more than one hundred and two thousand (102,000) inhabitants and less than two hundred thousand (200,000) inhabitants as shown by the latest United States Census, etc.; and declaring an emergency." (With amendments.)

H. B. No. 831, A bill to be entitled "An Act enabling cities and incorporated villages of more than one hundred and twenty-five thousand (125,000) population and not more than two hundred and twenty-five thousand (225,000) population, according to the last preceding Federal Census, etc.; and declaring an emergency." (With amendments.)

H. B. No. 511, A bill to be entitled "An Act amending Article 8306, Revised Civil Statutes of 1925, by adding a new section to be known as Section 7-e, providing that where liability for compensation exists, the

association shall furnish any and all artificial appliances that would materially and beneficially improve the future usefulness and occupational opportunities of such injured employee, etc.; and declaring an emergency."

H. B. No. 682, A bill to be entitled "An Act providing that it shall be unlawful for any person to take, catch, ensnare, or trap any fish by any means whatsoever in any waters of any public park under the control of the Texas State Parks Board, without the consent of the keeper, caretaker, or superintendent of said park, etc.; and declaring an emergency." (With amendments.)

H. B. No. 741, A bill to be entitled "An Act defining the word 'person' and providing that every director, officer, agent, employee, or member of any firm, copartnership, association, or corporation participating in, aiding, or authorizing any violation of this Act shall be subject to the punishment provided herein, etc.; and declaring an emergency." (With amendments.)

H. B. No. 974, A bill to be entitled "An Act to amend Section 18, Chapter 41, Acts of the Fortieth Legislature, First Called Session, as amended by Section 2 of House Bill No. 614, Acts of the Regular Session of the Forty-sixth Legislature, to provide that any citizen of Texas wishing to file the record of any birth, not previously registered, etc.; and declaring an emergency." (With amendments.)

H. B. No. 931, A bill to be entitled "An Act declaring it unlawful for any person to kill, take, or have in his possession for purpose of sale in Angelina, Tyler, Newton, Jasper, Sabine, and San Augustine Counties any wild fox or the pelts thereof, etc.; and declaring an emergency." (With amendments.)

H. B. No. 1045, A bill to be entitled "An Act providing that it shall be unlawful to buy or sell any fish caught in Possum Kingdom Lake located in Stephens, Palo Pinto, and Young Counties or in any of the backwaters, etc.; and declaring an emergency."

H. B. No. 1036, A bill to be entitled "An Act validating all consolidated rural high school districts having a scholastic population of not less than two hundred and fifty (250) and not more than seven hundred (700), according to the last preceding scholastic enumeration, and located in counties having a population of not less than thirty-one thousand, one hundred and twenty (31,120) and not more than thirty-one thousand, one hundred and thirty (31,130) inhabitants, etc.; and declaring an emergency." (With amendments.)

H. B. No. 1054, A bill to be entitled "An Act amending Section 19 (f) of Article 3912e, also known as Section 19 (f) of Acts of the Second Called Session of the Forty-fourth Legislature, Chapter 465, page 1762, by adding thereto a new section, to be known as Section 19 (f-1) of Article 3912e, etc.; and declaring an emergency."

H. B. No. 524, A bill to be entitled "An Act amending Article 3899, Revised Civil Statutes of Texas, 1925, as amended by Chapter 311, Acts of the Forty-fourth Legislature, Regular Session, and Chapter 465, Acts of Second Called Session, Forty-fourth Legislature, and by Chapter 498, Acts of Forty-fifth Legislature, to provide that premium on official bonds for county treasurers, county auditors, county road commissioners, county school superintendents, and hide and animal inspectors, and their deputies, shall be paid from county funds; and declaring an emergency."

H. B. No. 996, A bill to be entitled "An Act amending Section 6 of House Bill No. 303, Chapter 245, page 856 of the Acts of the Regular Session of the Forty-third Legislature, etc., with reference to examination of organizations operating under House Bill No. 303, Acts of the Forty-third Legislature, in conflict; and declaring an emergency."

H. B. No. 624, A bill to be entitled "An Act amending Section 18 of Senate Bill No. 46, page 116, Acts of the Fortieth Legislature, First Called Session, etc., to provide for uniform fees to be charged for the issuance of delayed birth and death

certificates by the Probate Court, the Clerk thereof and the State Registrar; and declaring an emergency."

H. B. No. 1019, A bill to be entitled "An Act validating consolidation of certain common school districts, independent school districts and consolidated independent school districts and county line school districts, wherein a majority of the voters of each of the affected districts approve such a consolidation at an election held for such purpose, etc.; and declaring an emergency."

H. B. No. 1043, A bill to be entitled "An Act granting to the City of Port Arthur, Texas, all right, title and interest of the State of Texas to certain lands within said City and lying adjacent to the Sabine-Neches Canal and lying between said Canal and Sabine Lake and commonly known as the Canal Spoil Bank, etc.; and declaring an emergency." (As amended.)

The Senate has concurred in House amendments to Senate Bill No. 125 by a viva voce vote.

Passed

H. B. No. 51, A bill to be entitled "An Act to amend Article 4755, Revised Civil Statutes of Texas of 1925, as amended by Acts of 1937, Forty-fifth Legislature, page 419, Chapter 214, Section 1, so as to provide that the term 'Texas securities' as used in Title 72, Chapter 4, of the Revised Civil Statutes of Texas of 1925, shall include promissory notes and other obligations, payment of which is secured by a mortgage, deed of trust, or other valid lien upon unencumbered real estate situated in the State of Texas, etc.; and declaring an emergency."

H. B. No. 64, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, all county line school districts, including county line common school districts, county line independent school districts, and all other school districts, whether created by General or Special Law or by County Boards of Trustees, etc.; and declaring an emergency."

Adopted

H. C. R. No. 96, Authorizing the State Highway Department of Texas to lend to the City of Mineral Wells sufficient quantities of discarded wire to protect the fish life of Lake Mineral Wells.

H. C. R. No. 224, Authorizing the State Highway Department of Texas to lend to the School Board of the Burton Independent School District sufficient quantities of the discarded wire in Washington County.

H. C. R. No. 238, Authorizing the recall of House Bill No. 971 from the Governor's Office.

Passed

H. B. No. 370, A bill to be entitled "An Act authorizing the sale of all United States Treasury Bonds held for the account of the Permanent School Fund on September 1, 1940; and declaring an emergency."

Adopted

H. C. R. No. 222, Permitting the Treasurer of the State of Texas to pay State warrants at their face value which are issued pursuant to the provisions of House Bill No. 930 of the Forty-seventh Legislature.

H. C. R. No. 209, Granting Heiner B. McPherson of Hill County, Texas, permission to sue the State of Texas. (With amendments.)

H. C. R. No. 133, Granting W. L. Priddy permission to bring suit against the State of Texas. (With amendments.)

H. C. R. No. 124, Granting R. W. Dillard and wife of Ellis County, Texas, permission to bring suit against the State of Texas and against the Highway Department of the State of Texas. (With amendments.)

H. C. R. No. 117, Granting William Trakas permission to bring suit against the State of Texas. (With amendments.)

H. C. R. No. 116, Granting N. D. Lenamond permission to sue the State of Texas and the State Highway Commission in Dallas County. (With amendments.)

H. C. R. No. 130, Granting permission to J. Clyde Cummings to

bring suit against the State of Texas and against the Department of Public Safety, Division of Highway Patrol.

Passed

H. B. No. 918, A bill to be entitled "An Act applicable to all counties in this State having a population of not less than fifty thousand, one hundred and fifty (50,150), nor more than fifty-one thousand, one hundred (51,100), etc.; and declaring an emergency." (With amendments.)

H. B. No. 1079, A bill to be entitled "An Act providing that the Commissioners Courts in all counties having a population of not less than one hundred thousand (100,000) and not more than one hundred and ninety thousand (190,000) inhabitants, according to the last preceding Federal Census, etc.; and declaring an emergency."

Adopted

S. C. R. No. 79, Establishing cotton research facilities in Texas.

The Senate has adopted the Conference Committee report on House Bill No. 963 by the following vote: Yeas, 25; nays, 1.

The Senate has adopted the Conference Committee report on House Concurrent Resolution No. 223 by a viva voce vote.

Respectfully,

BOB BARKER,

Secretary of the Senate.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

H. C. R. No. 238, Authorizing the recall of House Bill No. 971 from the Governor.

S. B. No. 476, "An Act transferring to the State Highway Fund all unexpended and unobligated balances of appropriations made to the Department of Public Safety, etc.; and declaring an emergency."

S. B. No. 429, "An Act relating to marks and brands of live stock in

Victoria County only, etc.; and declaring an emergency."

PROVIDING FOR CERTAIN RE-
CESS AND ADJOURNMENT
SINE DIE

Mr. Taylor offered the following resolution:

H. C. R. No. 240, Providing for Certain Recess and Adjournment Sine Die.

Be it resolved by the House of Representatives, the Senate concurring, That on June 20th, 1941, the Legislature do recess during the period from that date until July 15th, 1941, at 10:00 a. m., when it shall again convene at the State Capitol;

Be it further resolved, That during said period of recess the Members of the Legislature shall draw no per diem for their services and that all employees of both branches of the Legislature be discharged from service and that the elective officers of the House and the Senate be allowed no salary during such recess except such officers and employees as the President of the Senate and the Speaker of the House find necessary to retain.

Be it further resolved, That the Regular Session of the 47th Legislature stand adjourned sine die on July 18th, 1941, at 12 noon.

TAYLOR,
MORSE,
CARLTON,
CROSTHWAIT.

The resolution was read second time.

(Mr. Little in the Chair.)

Mr. Harris of Dallas moved that the resolution be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—54

Avant	Burkett
Bailey	Chambers
Baker	Craig
Blankenship	Daniel
Bullock	Davis

Deen
Dickson of Bexar
Duckett
Dwyer
Favors
Gilmer
Goodman
Hanna
Harris of Dallas
Helpinstill
Henderson
Hileman
Hobbs
Howington
Hoyo
Huddleston
Huffman
Hughes
Humphrey
Kennedy
Klingeman
Knight

Lowry
Lucas
McCann
McMurry
Manford
Markle
Matthews
Morgan
Pace
Parker
Pevehouse
Price
Rampy
Reed of Bowie
Ridgeway
Roark
Roberts
Sallas
Simpson
Smith of Bastrop
Stinson
Voigt

Nays—77

Allison
Alsup
Bean
Benton
Brawner
Bray
Bridgers
Brown
Bruhl
Bundy
Burnaman
Carlton
Carrington
Cato
Celaya
Clark
Cleveland
Coker
Colson, Mrs.
Connelly
Crossley
Crosthwait
Donald
Dove
Ellis
Evans
Ferguson
Files
Fuchs
Gandy
Garland
Halsey
Hardeman
Hargis
Harris of Hill
Hartzog
Isaacks
Kelly
Kinard

Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lyle
McAlister
McDonald
McGlasson
McLellan
McNamara
Manning
Martin
Montgomery
Moore
Morris
Morse
Murray
Phillips
Reed of Dallas
Rhodes
Senterfitt
Skiles
Spacek
Spangler
Stanford
Stubbs
Taylor
Thornton
Turner
Vale
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Absent	
Allen	Jones
Eubank	Sharpe
Fitzgerald	Shell

Absent—Excused	
Bell	Kersey
Boone	King
Dickson of Nolan	Mills
Heflin	Nicholson
Howard	Smith of Atascosa
Hutchinson	

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—74	
Allison	Kelly
Alsup	Kinard
Bean	Lansberry
Benton	Lehman
Brawner	Leyendecker
Bray	Little
Bridgers	Lock
Brown	Love
Bruhl	McAlister
Bundy	McDonald
Burnaman	McGlasson
Carlton	McLellan
Carrington	McNamara
Cato	Manning
Celaya	Martin
Clark	Montgomery
Cleveland	Moore
Coker	Morris
Colson, Mrs.	Morse
Connelly	Murray
Crossley	Phillips
Crosthwait	Reed of Dallas
Dove	Rhodes
Ellis	Skiles
Eubank	Spacek
Evans	Stanford
Ferguson	Stubbs
Files	Taylor
Fuchs	Thornton
Gandy	Turner
Garland	Vale
Halsey	Walters
Hardeman	Wattner
Hargis	Weatherford
Harris of Hill	White
Hartzog	Whitesides
Isaacks	Winfree

Nays—58	
Avant	Baker
Bailey	Blankenship

Bullock	Klingeman
Burkett	Knight
Chambers	Lowry
Craig	Lucas
Daniel	Lyle
Davis	McCann
Deen	McMurry
Dickson of Bexar	Manford
Donald	Markle
Duckett	Matthews
Dwyer	Morgan
Favors	Pace
Gilmer	Parker
Goodman	Pevehouse
Hanna	Price
Harris of Dallas	Rampy
Helpinstill	Reed of Bowie
Henderson	Ridgeway
Hileman	Roark
Hobbs	Roberts
Howington	Sallas
Hoyo	Senterfitt
Huddleston	Simpson
Huffman	Smith of Bastrop
Hughes	Spangler
Humphrey	Stinson
Kennedy	Voigt

Absent	
Fitzgerald	Sharpe
Jones	Shell

Absent—Excused	
Allen	Hutchinson
Bell	Kersey
Boone	King
Dickson of Nolan	Mills
Heflin	Nicholson
Howard	Smith of Atascosa

Mr. Taylor moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Kennedy offered the following resolution:

H. C. R. No. 228, To Provide for Adjournment Sine Die.

Be it resolved by the House of Representatives, the Senate concurring, That the Regular Session of the 47th Legislature stand adjourned sine die, Friday, June 20th at 6 p. m.

KENNEDY,
MATTHEWS,
DAVIS,
HUMPHREY.

The resolution was read second time.

Mr. Morris moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—68

Allison	Kelly
Alsup	Lansberry
Bean	Lehman
Benton	Leyendecker
Brawner	Little
Bray	Lock
Brown	Love
Bundy	McAlister
Burnaman	McDonald
Carlton	McGlasson
Carrington	McLellan
Cato	McNamara
Clark	Manning
Cleveland	Martin
Coker	Montgomery
Colson, Mrs.	Morris
Crosthwait	Morse
Donald	Phillips
Dwyer	Reed of Dallas
Ellis	Rhodes
Evans	Senterfitt
Ferguson	Skiles
Files	Spacek
Gandy	Spangler
Garland	Stanford
Hardeman	Taylor
Hargis	Thornton
Hartzog	Turner
Henderson	Walters
Howard	Wattner
Huffman	Weatherford
Hughes	White
Isaacks	Whitesides
Jones	Winfree

Nays—60

Avant	Daniel
Bailey	Davis
Baker	Deen
Blankenship	Dickson of Bexar
Bridgers	Duckett
Bullock	Eubank
Burkett	Favors
Celaya	Fuchs
Chambers	Gilmer
Connelly	Goodman
Craig	Halsey
Crossley	Hanna

Harris of Dallas	Moore
Helpinstill	Morgan
Hileman	Murray
Hobbs	Pace
Howington	Parker
Hoyo	Pevehouse
Humphrey	Price
Kennedy	Rampy
Klingeman	Reed of Bowie
Knight	Ridgeway
Lowry	Roark
Lucas	Roberts
Lyle	Sallas
McCann	Simpson
McMurry	Smith of Bastrop
Manford	Stinson
Markle	Stubbs
Matthews	Vale

Absent

Bruhl	Kinard
Dove	Sharpe
Fitzgerald	Shell
Harris of Hill	Voigt
Huddleston	

Absent—Excused

Allen	Kersey
Bell	King
Boone	Mills
Dickson of Nolan	Nicholson
Heflin	Smith of Atascosa
Hutchinson	

HOUSE BILL NO. 1084 ON SECOND READING

(By unanimous consent)

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 1084, A bill to be entitled "An Act to amend Chapter 63, Acts of 1933, Forty-third Legislature, First Called Session, page 169, as amended by Chapter 17, Acts of 1934, Forty-third Legislature, Fourth Called Session, page 47, so as to change Section 3 of said Chapter 63 so that the same may hereafter provide, in addition to its other provisions, that the Board of Directors of the Lower Neches Valley Authority shall consist of nine instead of seven members, all of whom shall be freehold property tax payers and legal voters of the State of Texas, and providing that such nine directors shall be appointed by the State Board of Water Engineers, three members thereof to be appointed for a term of two years, three members

thereof to be appointed for a term of four years and three members thereof to be appointed for a term of six years, etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1084 ON THIRD READING

Mr. Kinard moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1084 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Allison	Gandy
Alsup	Garland
Avant	Gilmer
Bailey	Goodman
Baker	Halsey
Benton	Hanna
Blankenship	Hargis
Brawner	Harris of Dallas
Bray	Harris of Hill
Bridgers	Helpinstill
Brown	Hileman
Bruhl	Howington
Bullock	Hoyo
Bundy	Huddleston
Burkett	Huffman
Burnaman	Hughes
Carlton	Humphrey
Carrington	Isaacks
Cato	Jones
Celaya	Kelly
Clark	Kennedy
Cleveland	Kinard
Coker	Klingeman
Colson, Mrs.	Knight
Connelly	Lansberry
Craig	Lehman
Crossley	Leyendecker
Crosthwait	Little
Daniel	Lock
Davis	Love
Dickson of Bexar	Lowry
Donald	Lucas
Duckett	Lyle
Dwyer	McAlister
Ellis	McCann
Eubank	McLellan
Evans	McMurry
Ferguson	Manford
Files	Manning
Fitzgerald	Markie
Fuchs	Martin

Matthews	Simpson
Montgomery	Skiles
Moore	Smith of Bastrop
Morris	Spacek
Morse	Spangler
Murray	Stanford
Pace	Stinson
Pevehouse	Stubbs
Phillips	Taylor
Price	Thornton
Rampy	Turner
Reed of Bowie	Vale
Reed of Dallas	Walters
Ridgeway	Wattner
Rhodes	Weatherford
Roark	White
Roberts	Whitesides
Senterfitt	Winfree

Absent

Bean	McDonald
Chambers	McGlasson
Deen	McNamara
Dove	Morgan
Favors	Parker
Hardeman	Sallas
Hartzog	Sharpe
Henderson	Shell
Hobbs	Voigt

Absent—Excused

Allen	Hutchinson
Bell	Kersey
Boone	King
Dickson of Nolan	Mills
Heflin	Nicholson
Howard	Smith of Atascosa

The Chair then laid House Bill No. 1084 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—118

Allison	Burnaman
Alsup	Carlton
Avant	Carrington
Bailey	Cato
Baker	Celaya
Benton	Clark
Blankenship	Cleveland
Brawner	Coker
Bray	Colson, Mrs.
Bridgers	Connelly
Brown	Craig
Bruhl	Crossley
Bullock	Crosthwait
Bundy	Daniel
Burkett	Davis

Dickson of Bexar	McAlister
Donald	McCann
Duckett	McLellan
Dwyer	McMurry
Ellis	Manford
Eubank	Manning
Evans	Markle
Ferguson	Martin
Files	Matthews
Fitzgerald	Montgomery
Fuchs	Moore
Gandy	Morris
Garland	Morse
Gilmer	Murray
Goodman	Pace
Halsey	Pevehouse
Hanna	Phillips
Hargis	Price
Harris of Dallas	Rampy
Harris of Hill	Reed of Bowie
Melpinstill	Reed of Dallas
Hileman	Ridgeway
Howington	Rhodes
Hoyo	Roark
Huddleston	Roberts
Huffman	Senterfitt
Hughes	Simpson
Humphrey	Skiles
Isaacks	Smith of Bastrop
Jones	Spacek
Kelly	Spangler
Kennedy	Stanford
Kinard	Stinson
Klingeman	Stubbs
Knight	Taylor
Lansberry	Thornton
Lehman	Turner
Leyendecker	Vale
Little	Walters
Lock	Wattner
Love	Weatherford
Lowry	White
Lucas	Whitesides
Lyle	Winfree

Absent

Bean	McDonald
Chambers	McGlasson
Deen	McNamara
Dove	Morgan
Favors	Parker
Hardeman	Sallas
Hartzog	Sharpe
Henderson	Shell
Hobbs	Voigt

Absent—Excused

Allen	Heflin
Bell	Howard
Boone	Hutchinson
Dickson of Nolan	Kersey

King	Nicholson
Mills	Smith of Atascosa

HOUSE BILL NO. 1082 WITH SENATE AMENDMENTS

Mr. Hardeman called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1082, A bill to be entitled "An Act to amend House Bill No. 146, Acts of the 47th Legislature of Texas, authorizing the Commissioners Court in all counties in the State of Texas to appropriate from the General Fund not more than Five Cents (5¢) on the One Hundred (\$100) Dollars assessed valuation, for the purpose of advertising and promoting the growth and development of the counties; providing for an election authorizing such appropriation and creating and providing for the appointment of a Board of Development devoted to the growth, advertisement, and development of such counties; providing said appropriation to constitute a separate fund to be known as the Board of Development Fund; limiting the amount to be appropriated; prescribing certain duties for said Board; making the Act cumulative of other laws authorizing such counties to appropriate such money; and declaring an emergency."

Mr. Hardeman moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Chair announced the appointment of the following Conference Committee on House Bill No. 1082:

Messrs. Hardeman, Bean, Eubank, Isaacks and Celaya.

RECESS

Mr. Reed of Bowie moved that the House recess until 2:30 o'clock p. m. today.

Mr. McGlasson moved that the House recess until 3:00 o'clock p. m. today.

The motion of Mr. Reed of Bowie prevailed and the House accordingly, at 12:05 o'clock p. m., took recess until 2:30 o'clock p. m. today.

AFTERNOON SESSION

The House met at 2:30 o'clock p. m. and was called to order by the Speaker.

LEAVE OF ABSENCE GRANTED

Mr. Daniel temporarily for this afternoon on account of important business on motion of Mr. Avant.

EXTENDING CONGRATULATIONS OF THE HOUSE

Mr. Winfree offered the following resolution:

H. S. R. No. 340, Extending Congratulations of the House to Honorable and Mrs. W. W. Bridgers.

Whereas, Our distinguished and beloved colleague, Honorable W. W. Bridgers of El Paso, and his charming wife and companion have been married forty-six years today; therefore, be it

Resolved by the House, That we extend to our esteemed friends the congratulations of this body and wish for them many more happy anniversaries.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King,

Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampsy, Reed of Bowie, Reed of Dallas, Ridgeway, Rhodes, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White and Whitesides.

On the motion of Mr. Kelly, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

In accordance with the above action, Mr. and Mrs. Bridgers having been escorted to the Speaker's stand, Speaker Leonard presented Mr. Bridgers to the House.

Mr. Bridgers addressed the House briefly.

Speaker Leonard then presented Hon. J. E. Winfree, who presented Mrs. Bridgers to the House.

Mrs. Bridgers then addressed the House.

RELATIVE TO LABOR USED IN COTTON PICKING SEASON

Mr. Lyle offered the following resolution:

H. C. R. No. 242, Concerning labor to be used during the cotton picking season in the South.

Whereas, Texas has been blessed with a large part of the National Defense Program and has met the problem of common and skilled labor admirably and adequately, and

Whereas, Because of this defense work in Texas much of the common labor has been called in National Defense Work, and

Whereas, Because of unusual weather conditions most of the cotton of South Texas will be ready for picking at the same time, and

Whereas, There will be such shortage of common labor in South Texas during the cotton picking season that it will result in disastrous loss to the cotton farmers of that area, and

Whereas, There are many unemployed common laborers in the United States today,

Therefore, Be It Resolved, That the officials of the State of Texas and the President of the United States, be respectfully requested to use all of their efforts to make available to South Texas during the cotton picking season from 5,000 to 7,000 common laborers.

The resolution was read second time and was adopted.

HOUSE BILL NO. 788 WITH SENATE AMENDMENTS

Mr. Rampy called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 788, A bill to be entitled "An Act applicable to the County of Coke, State of Texas, prohibiting the transportation of minnows taken in said county beyond the borders of said county for the purpose of sale; limiting the number of minnows to be transported beyond the borders of said county; prohibiting the use of trot-lines or throwlines containing more than twenty-five (25) hooks; limiting the use of such lines to a maximum of two such lines to any person or group of persons; providing for a closed season on fishing in said county, with certain exceptions; providing legal length of catfish in said county, providing the daily bag limit of catfish; providing penalties for any violation of this Act; and declaring an emergency."

On motion of Mr. Rampy, the House concurred in the Senate amendments by the following vote:

Yeas—115

Allen	Benton
Allison	Blankenship
Alsup	Bray
Avant	Brown
Bailey	Bruhl
Baker	Bullock
Bean	Bundy
Bell	Burkett

Burnaman	Leyendecker
Carlton	Little
Carrington	Lock
Cato	Love
Celaya	Lowry
Chambers	Lucas
Clark	Lyle
Cleveland	McAlister
Coker	McCann
Colson, Mrs.	McDonald
Connelly	McGlasson
Craig	McLellan
Crossley	McMurry
Deen	McNamara
Dickson of Bexar	Manford
Donald	Manning
Dove	Markle
Duckett	Martin
Ellis	Matthews
Eubank	Moore
Evans	Morgan
Ferguson	Morris
Files	Morse
Fitzgerald	Pace
Fuchs	Parker
Gandy	Phillips
Garland	Price
Gilmer	Rampy
Goodman	Reed of Bowie
Halsey	Reed of Dallas
Hanna	Ridgeway
Hargis	Rhodes
Harris of Dallas	Roberts
Harris of Hill	Senterfitt
Hartzog	Skiles
Helpinstill	Smith of Bastrop
Henderson	Spangler
Hileman	Stinson
Hobbs	Stubbs
Howington	Taylor
Hoyo	Thornton
Huddleston	Vale
Hughes	Voigt
Humphrey	Walters
Isaacks	Wattner
Iones	Weatherford
Kelly	White
Kennedy	Whitesides
Knight	Winfree
Lansberry	

Absent

Brawner	Murray
Bridgers	Pevehouse
Crosthwait	Roark
Davis	Sallas
Dwyer	Sharpe
Favors	Shell
Hardeman	Simpson
Huffman	Spacek
Klingeman	Stanford
Lehman	Turner
Montgomery	

Absent—Excused

Boone	Kersey
Daniel	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa

HOUSE BILL NO. 1085 ON
SECOND READING

Mr. Lock moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 1085 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Allen	Fitzgerald
Allison	Fuchs
Alsup	Gandy
Avant	Garland
Bailey	Gilmer
Baker	Goodman
Bell	Halsey
Benton	Hanna
Blankenship	Hargis
Bray	Harris of Dallas
Bridgers	Harris of Hill
Brown	Hartzog
Bruhl	Helpinstill
Bullock	Henderson
Bundy	Hileman
Burkett	Hobbs
Burnaman	Howington
Carlton	Hoyo
Carrington	Huddleston
Cato	Hughes
Celaya	Humphrey
Chambers	Isaacks
Clark	Jones
Cleveland	Kelly
Coker	Kennedy
Colson, Mrs.	Klingeman
Connelly	Knight
Crossley	Lansberry
Deen	Lehman
Dickson of Bexar	Leyendecker
Donald	Little
Dove	Lock
Duckett	Love
Ellis	Lowry
Eubank	Lucas
Evans	Lyle
Favors	McAlister
Ferguson	McCann
Files	McDonald

McGlasson
McLellan
McMurry
McNamara
Manford
Manning
Markle
Martin
Matthews
Montgomery
Moore
Morgan
Morris
Morse
Murray
Pace
Parker
Pevehouse
Phillips
Price
Rampy

Reed of Bowie
Ridgeway
Rhodes
Roberts
Senterfitt
Simpson
Skiles
Smith of Bastrop
Spangler
Stinson
Stubbs
Taylor
Thornton
Turner
Vale
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Absent

Bean	Reed of Dallas
Brawner	Roark
Craig	Sallas
Crosthwait	Sharpe
Davis	Shell
Dwyer	Spacek
Hardeman	Stanford
Huffman	Voigt

Absent—Excused

Boone	Kersey
Daniel	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1085, A bill to be entitled "An Act creating a Consolidated Road District No. 3 of Tyler County, Texas, under authority of Article 3, Section 52 of the Constitution of Texas, for the purpose of fully and fairly compensating original road districts Nos. 3 and 4 of said County in amounts equal to the respective amounts of road bonds outstanding against such included road districts respectively, and for the purpose of the purchase and construction of district roads therein, and for the purpose of the further construction, maintenance, and operation of macadamized, graveled, or

paved roads and turnpikes, or in aid thereof when authorized by a two-thirds majority vote of the qualified property taxpaying voters of said district, voting at an election for that purpose; making said road district a body corporate and taxing district under authority of Article 3, Section 52 of the Constitution of Texas, and providing that said Consolidated Road District shall have authority and be vested with the rights and shall function as provided by the General Laws of Texas for such districts; describing the territory comprising such district, and reciting that it contains all of original road districts Nos 3 and 4 of said County, and overlaps a portion of original road district No. 2 of said County, and providing that it shall not interfere in any manner with said Road District No. 2 in levying, assessing and collecting ad valorem taxes in payment of bonds of said Road District No. 2; providing it shall have authority to issue bonds and levy ad valorem taxes in payment thereof as provided by the General Laws enacted under the provisions of Article 3, Section 52 of the Constitution of Texas; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1085 ON THIRD READING

The Speaker then laid House Bill No. 1085 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119

Allen	Burkett
Allison	Burnaman
Alsup	Carlton
Avant	Carrington
Bailey	Cato
Baker	Celaya
Bell	Chambers
Benton	Cleveland
Blankenship	Coker
Bray	Colson, Mrs.
Bridgers	Connelly
Brown	Crossley
Bruhl	Deen
Bullock	Dickson of Bexar
Bundy	Donald

Dove	McCann
Duckett	McDonald
Ellis	McGlasson
Eubank	McLellan
Evans	McMurry
Favors	McNamara
Ferguson	Manford
Files	Manning
Fitzgerald	Markle
Fuchs	Martin
Gandy	Matthews
Garland	Montgomery
Gilmer	Moore
Goodman	Morgan
Halsey	Morris
Hanna	Morse
Hargis	Murray
Harris of Dallas	Pace
Harris of Hill	Parker
Hartzog	Pevehouse
Helpinstill	Phillips
Henderson	Price
Hileman	Rampy
Hobbs	Reed of Bowie
Howington	Ridgeway
Hoyo	Rhodes
Huddleston	Roberts
Hughes	Senterfitt
Humphrey	Simpson
Isaacks	Skiles
Jones	Smith of Bastrop
Kelly	Spangler
Kennedy	Stinson
Klingeman	Stubbs
Knight	Taylor
Lansberry	Thornton
Lehman	Turner
Leyendecker	Vale
Little	Walters
Lock	Wattner
Love	Weatherford
Lowry	White
Lucas	Whitesides
Lyle	Winfree
McAlister	

Absent

Bean	Reed of Dallas
Brawner	Roark
Clark	Sallas
Craig	Sharpe
Crosthwait	Shell
Davis	Spacek
Dwyer	Stanford
Hardeman	Voigt
Huffman	

Absent—Excused

Boone	Howard
Daniel	Hutchinson
Dickson of Nolan	Kersey
Heflin	Kinard

King
Mills

Nicholson
Smith of Atascosa

**AUTHORIZING CERTAIN COR-
RECTIONS IN SENATE
BILL NO. 125**

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 78, Authorizing Certain Corrections in Senate Bill No. 125.

Whereas, There are certain typographical errors made in House amendments to Senate Bill No. 125; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Enrolling Clerk of the Senate is hereby authorized and directed to make the following corrections in said Senate Bill No. 125:

(1) In Section 1 of said bill, change the semi-colon occurring in Article 4114, after the words "as the case may be" to a comma;

(2) In Article 4116 (1) of the same Section of said bill, change the word "adjudicated" to "adjudged";

(3) In Section 3, and in the 5th line of Article 4128, insert the word "as" immediately following the words "shall continue";

(4) In Section 5 of said bill, and in the sixth line of Article 4272, as amended, change the figures "4113" to "4115," so that the reference shall be to Article 4115 of the Revised Civil Statutes instead of Article "4113."

(5) And to add the following caption thereto:

"A BILL

"To Be Entitled

"An Act to amend Title 69 of the Revised Civil Statutes of Texas, 1925, by amending Articles, 4113, 4114, 4116 and 4117 of Chapter 2 of said Title 69 relating to the commencement of proceedings for the appointment of guardians of the persons and estates of minors, persons of unsound mind, habitual drunkards and persons for whom it is necessary to appoint guardians to collect funds from the

State and/or Federal Government and providing the kind and character of process that shall be issued in such cases and the manner in which such process shall be served; and by amending Article 4121 of Chapter 3 of said Title 69, relating to persons entitled to be appointed guardians, and providing who shall be appointed guardians for persons entitled to receive funds from the State and/or Federal Government; and by amending Articles 4122 and 4123 of Chapter 3 of said Title 69 providing that certain persons shall be disqualified and shall not be appointed guardians and providing for the appointment of guardians for persons entitled to receive funds from the State and/or Federal Government and providing for the appointment of guardians of estates of persons adjudged insane or habitual drunkards by courts of competent jurisdiction in other states and territories of the United States; and by amending Article 4128 of Chapter 3 of said Title 69 relating to the termination of guardianships, and providing for the termination of guardianship proceedings brought for the purpose of receiving funds from the State and/or Federal Government; and by amending Articles 4228 and 4229 of Chapter 10 of said Title 69 providing for the acceptance of resignations of guardians and the appointment of successor guardians upon the death, resignation or removal of guardians; and by amending Article 4272 of Chapter 12 of said Title 69 providing for the appointment of guardians of persons adjudged insane or habitual drunkards after the issuance and service of process as therein provided; and making further and additional provisions as to evidence required for the appointment of guardians to receive funds from the State and/or Federal Government; and making further additional provisions for waiving court costs and fees in certain cases; and for other purposes, and declaring an emergency."

The resolution was read second time and was adopted.

**MOTION TO PASS SENATE BILL
NO. 187 NOTWITHSTANDING
THE OBJECTIONS OF
THE GOVERNOR**

Mr. Alsup moved to call from the Journal the motion to reconsider the vote by which the House failed to pass Senate Bill No. 187 notwithstanding the objections of the Governor.

The motion to reconsider prevailed.

Mr. Alsup then moved to pass, at this time, Senate Bill No. 187 notwithstanding the objections of the Governor,

S. B. No. 187, A bill to be entitled "An Act to facilitate the cooperation of this State with other units of government, determining the membership of the Board, and establishing the Texas Commission on Interstate Cooperation, etc.; and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—78

Allison	Gilmer
Alsup	Halsey
Avant	Hardeman
Bean	Hargis
Bell	Harris of Hill
Benton	Hartzog
Blankenship	Henderson
Brawner	Hileman
Bridgers	Huffman
Brown	Hughes
Bruhl	Isaacks
Burnaman	Jones
Carlton	Klingeman
Carrington	Lansberry
Cato	Lehman
Celaya	Leyendecker
Clark	Little
Cleveland	Lock
Coker	Lyle
Colson, Mrs.	McAlister
Connelly	McDonald
Dickson of Bexar	McGlasson
Donald	McLellan
Duckett	McMurry
Ellis	McNamara
Eubank	Manford
Evans	Manning
Fitzgerald	Markle
Fuchs	Montgomery
Gandy	Morris

Morse	Taylor
Phillips	Thornton
Reed of Dallas	Turner
Rhodes	Vale
Senterfitt	Walters
Skiles	Wattner
Smith of Bastrop	Weatherford
Spacek	Whitesides
Stinson	Winfree

Nays—43

Allen	Humphrey
Bailey	Kennedy
Baker	Knight
Bray	Love
Bullock	Lowry
Burkett	Lucas
Chambers	McCann
Craig	Martin
Crossley	Matthews
Deen	Moore
Favors	Murray
Ferguson	Pace
Files	Parker
Garland	Pevehouse
Goodman	Price
Hanna	Rampy
Harris of Dallas	Reed of Bowie
Helpinstill	Ridgeway
Hobbs	Roberts
Howington	Stubbs
Hoyo	Voigt
Huddleston	

Absent

Bundy	Sallas
Crosthwait	Sharpe
Davis	Shell
Dove	Simpson
Dwyer	Spangler
Kelly	Stanford
Morgan	White
Roark	

Absent—Excused

Boone	Kersey
Daniel	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa

Mr. Alsup moved to suspend the Rules in order that a motion may again be made to pass Senate Bill No. 187 notwithstanding the objections of the Governor.

The motion to suspend the Rules was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—70	
Allison	Isaacks
Alsup	Jones
Avant	Kelly
Bean	Lansberry
Bell	Leyendecker
Benton	Little
Blankenship	Lock
Brawner	McAlister
Bridgers	McDonald
Brown	McGlasson
Bruhl	McLellan
Burnaman	McNamara
Carlton	Manford
Carrington	Manning
Cato	Markle
Celaya	Martin
Cleveland	Morgan
Coker	Morris
Colson, Mrs.	Morse
Connelly	Phillips
Donald	Reed of Dallas
Dove	Rhodes
Duckett	Senterfitt
Ellis	Skiles
Eubank	Smith of Bastrop
Evans	Spacek
Fitzgerald	Spangler
Fuchs	Stanford
Gilmer	Stinson
Halsey	Taylor
Hargis	Thornton
Harris of Hill	Vale
Henderson	Walters
Hileman	Wattner
Huffman	Whitesides

Nays—52	
Allen	Huddleston
Bailey	Humphrey
Baker	Kennedy
Bray	Klingeman
Bullock	Knight
Burkett	Lehman
Craig	Love
Crossley	Lowry
Crosthwait	Lucas
Daniel	McCann
Deen	McMurry
Dickson of Bexar	Matthews
Dwyer	Moore
Favors	Murray
Ferguson	Pace
Garland	Parker
Goodman	Pevehouse
Hanna	Price
Hardeman	Rampy
Harris of Dallas	Reed of Bowie
Helpinstill	Ridgeway
Hobbs	Roberts
Howington	Sallas
Hoyo	Simpson

Stubbs
Voigt

Weatherford
White

Absent

Bundy
Chambers
Clark
Davis
Files
Gandy
Hartzog
Hughes

Lyle
Montgomery
Roark
Sharpe
Shell
Turner
Winfree

Absent—Excused

Boone
Dickson of Nolan
Heflin
Howard
Hutchinson
Kersey

Kinard
King
Mills
Nicholson
Smith of Atascosa

TO PROVIDE FOR THE APPOINTMENT OF CERTAIN COMMITTEE

Mr. Bray offered the following resolution:

H. C. R. No. 241, To provide for the appointment of certain committee to participate in production and marketing of oil.

Whereas, The Secretary of the Interior, the Honorable Harold Ickes, has called a nation-wide oil conference to meet in Washington on Thursday; and

Whereas, Such conferences will no doubt be an established policy of the Federal administration throughout the duration of the national emergency; and

Whereas, The State of Texas is the greatest single oil producing state in the United States; and

Whereas, The State of Texas is desirous of representation as a state in any deliberation indulged in by this oil conference, now,

Therefore, be it Resolved, By the House of Representatives the Senate concurring, That three (3) representatives of the Legislature of the State of Texas be appointed to go to Washington and participate in any deliberation concerning the production and marketing of oil and oil products; and

Be It Further Resolved, That one Member be appointed by the Speaker of the House of Representatives, and that one Member be appointed by the

President of the Senate, and that one Member be appointed by the Governor of the State of Texas; and

Be It Further Resolved, That such committee be specifically empowered to continue as an interim committee with contingent expenses provided by the Legislature of the State of Texas, and that such committee's powers be in full force and effect until the national emergency is terminated or until the Forty-eighth Legislature shall have named succeeding Members.

The resolution was read second time.

Mr. Eubank raised a point of order on further consideration of the resolution at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Bray moved to suspend the Rules in order that the above resolution may be considered.

The motion was lost.

BILL ORDERED NOT PRINTED

On motion of Mrs. Colson, Senate Bill No. 336 was ordered not printed.

HOUSE BILL NO. 73 PASSED, NOTWITHSTANDING THE OBJECTIONS OF THE GOVERNOR

Mr. Isaacks moved to pass at this time, House Bill No. 73, notwithstanding the objections of the Governor.

H. B. No. 73, A bill to be entitled "An Act amending Article 802 of the Penal Code of Texas, as amended by Acts of the Second Called Session of the Legislature in 1923, as amended by Acts of 1935, 44th Legislature, First Called Session, Chapter 424, as amended by Acts of 1937, 45th Legislature, Chapter 60, providing that any person who drives or operates an automobile or other motor vehicle upon any public road or highway, or upon any street or alley within the limits of an incorporated city, town or village, while such person is intoxicated or in any degree under the influence of intoxicating liquors, shall be guilty of a misdemeanor, reducing the maximum penalty provided in said article from

a penitentiary offense to a jail sentence, and increasing the minimum penalty thereof, and providing further that if such drunken driver shall be the cause of an accident whereby the death of another person shall be caused, he shall be guilty of a felony, and upon conviction he shall be confined in the penitentiary for not less than one year nor more than five years; and declaring an emergency."

House Bill No. 73 was passed notwithstanding the objections of the Governor, by the following vote:

Yeas—101

Allen	Harris of Hill
Allison	Hartzog
Alsup	Henderson
Avant	Hileman
Bailey	Howington
Bean	Huffman
Bell	Hughes
Benton	Humphrey
Blankenship	Isaacks
Brawner	Kelly
Bray	Klingeman
Bridgers	Lansberry
Brown	Lehman
Bruhl	Leyendecker
Bundy	Little
Burnaman	Love
Carlton	Lowry
Carrington	Lucas
Cato	Lyle
Celaya	McAlister
Cleveland	McCann
Coker	McDonald
Craig	McGlasson
Crossley	McLellan
Crosthwait	McMurry
Dickson of Bexar	McNamara
Donald	Manford
Dove	Manning
Duckett	Markle
Dwyer	Martin
Eubank	Montgomery
Evans	Morgan
Favors	Morris
Ferguson	Morse
Files	Phillips
Fitzgerald	Price
Fuchs	Reed of Dallas
Garland	Ridgeway
Gilmer	Sallas
Goodman	Senterfitt
Halsey	Simpson
Hanna	Skiles
Hardeman	Smith of Bastrop
Hargis	Spacek
Harris of Dallas	Spangler

Stanford	Walters
Stinson	Weatherford
Thornton	White
Turner	Whitesides
Vale	Winfree
Voigt	

Nays—22

Baker	Knight
Bullock	Lock
Burkett	Matthews
Clark	Moore
Daniel	Murray
Deen	Pace
Ellis	Pevehouse
Helpinstill	Reed of Bowie
Hobbs	Rhodes
Huddleston	Roberts
Kennedy	Stubbs

Absent

Chambers	Parker
Colson, Mrs.	Rampy
Connelly	Roark
Davis	Sharpe
Gandy	Shell
Hoyo	Taylor
Jones	Wattner

Absent—Excused

Boone	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa
Kersey	

Mr. Isaacks moved to reconsider the vote by which House Bill No. 73 was passed, notwithstanding the objections of the Governor, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read the following message from the Governor:

June 16th, 1941.

To the House of Representatives of the Forty-seventh Legislature:

In compliance with the request contained in House Concurrent Resolution No. 238, I am today returning House Bill No. 971 to the House of Representatives.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas.

MOTION TO CONSIDER
HOUSE BILL NO. 79

Mr. McMurry moved that the necessary Rules be suspended, for the purpose of taking up and considering, at this time, House Bill No. 79.

H. B. No. 79. A bill to be entitled "An Act amending Article 4604c, Revised Civil Statutes of Texas, as enacted by Acts of the Forty-first Legislature, 1929, Regular Session, page 260, Chapter 114, providing that each of the parties entering into a contract of marriage in Texas be thoroughly examined by a physician legally licensed to practice medicine in Texas, who at the time of said examination caused to be made of specimens taken from such persons standard serological tests and such other laboratory procedures as are essential to the determination of freedom from syphilis and all other venereal diseases, etc.; and declaring an emergency."

The motion was lost.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE
BILL NO. 963

Mr. Manning submitted the following Conference Committee report on House Bill No. 963:

Hon. Coke Stevenson, President of the Senate;

Hon. Homer Leonard, Speaker of the House.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and the Senate on House Bill No. 963, have met and beg leave to recommend that said House Bill No. 963 be passed in the form attached hereto.

Respectfully,
MANNING,
ALSUP,
STUBBS,
ALLISON,
HUMPHREY,

On the part of the House.

HILL,
MAURITZ,
LEMENS,
SMITH,

On the part of the Senate.

By Manning:
H. B. No. 963,

A BILL

To Be Entitled

An Act appropriating out of the State General Revenue Fund the sum of One Thousand Dollars (\$1,000) to the Eddins Common School District, No. 62, Shelby County, Texas, to be used by said School District in rebuilding a public schoolhouse within the District; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That there is hereby appropriated out of the State General Revenue Fund, the sum of One Thousand Dollars (\$1,000) to the Eddins Common School District, No. 62, Shelby County, Texas, to be used by said School District for the purpose of rebuilding a public school building within said School District.

Sec. 2. In making this appropriation, the Legislature deems there is an emergency now existing in said School District because the schoolhouse situated in said School District has recently been destroyed by fire, and said School District has not, and shall not have in the future, sufficient funds available to rebuild and equip another proper schoolhouse within the District.

Sec. 3. The importance of this legislation and the crowded condition of the calendar creates an emergency and an imperative public necessity that the Constitutional Rule requiring that all bills be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Manning, the report was adopted by the following vote:

Yeas—67

Allison	Bullock
Alsup	Bundy
Avant	Burnaman
Baker	Carrington
Bean	Cato
Bray	Celaya
Bridgers	Coker
Bruhl	Connelly

Daniel
Dickson of Bexar
Donald
Dove
Duckett
Ellis
Favors
Ferguson
Fitzgerald
Fuchs
Garland
Goodman
Hargis
Harris of Hill
Helpinstill
Henderson
Hileman
Hobbs
Huddleston
Humphrey
Jones
Kelly
Klingeman
Lock
Lowry
Lucas

McCann
McGlasson
McLellan
McMurry
McNamara
Manford
Manning
Martin
Matthews
Montgomery
Morse
Pevehouse
Price
Rhodes
Roark
Simpson
Skiles
Spacek
Stanford
Stubbs
Thornton
Vale
White
Whitesides
Winfree

Nays—49

Allen
Bailey
Benton
Blankenship
Burkett
Carlton
Cleveland
Colson, Mrs.
Craig
Crosthwait
Deen
Dwyer
Eubank
Files
Gandy
Gilmer
Halsey
Hanna
Hardeman
Harris of Dallas
Howington
Hoyo
Hughes
Kennedy
Knight

Lansberry
Lehman
Leyendecker
Little
Love
McDonald
Markle
Moore
Morris
Murray
Pace
Parker
Phillips
Reed of Bowie
Reed of Dallas
Roberts
Senterfitt
Smith of Bastrop
Spangler
Stinson
Voigt
Walters
Wattner
Weatherford

Absent

Bell	Evans
Brawner	Hartzog
Brown	Huffman
Chambers	Isaacks
Clark	Lyle
Crossley	McAlister
Davis	Morgan

Rampy
Ridgeway
Sallas
Sharpe

Shell
Taylor
Turner

Absent—Excused

Boone
Dickson of Nolan
Heflin
Howard
Hutchinson
Kersey

Kinard
King
Mills
Nicholson
Smith of Atascosa

HOUSE CONCURRENT RESOLUTION NO. 124 WITH SENATE AMENDMENTS

Mr. Allen called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 124, To grant R. W. Dillard and wife permission to sue the State.

On motion of Mr. Allen, the House concurred in the Senate amendments by the following vote:

Yeas—123

Allen	Donald
Allison	Dove
Alsup	Duckett
Avant	Dwyer
Bailey	Ellis
Baker	Eubank
Bean	Favors
Bell	Ferguson
Benton	Files
Blankenship	Fitzgerald
Brawner	Fuchs
Bray	Gandy
Bridgers	Garland
Bruhl	Goodman
Bullock	Halsey
Bundy	Hanna
Burkett	Hardeman
Burnaman	Hargis
Carlton	Harris of Dallas
Carrington	Harris of Hill
Cato	Hartzog
Celaya	Helpinstill
Clark	Henderson
Cleveland	Hileman
Coker	Hobbs
Colson, Mrs.	Howington
Connelly	Hoyo
Craig	Huddleston
Crosthwait	Huffman
Daniel	Hughes
Deen	Humphrey
Dickson of Bexar	Jones

Kelly
Kennedy
Klingeman
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lowry
Lucas
Lyle
McAlister
McCann
McDonald
McGlasson
McLellan
McMurry
McNamara
Manford
Markle
Martin
Matthews
Montgomery
Moore
Morgan
Morse
Murray
Pace

Parker
Pevehouse
Phillips
Price
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roark
Roberts
Senterfitt
Simpson
Skiles
Smith of Bastrop
Spacek
Spangler
Stanford
Stinson
Stubbs
Taylor
Thornton
Vale
Voigt
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Absent

Brown	Manning
Chambers	Morris
Crossley	Rampy
Davis	Sallas
Evans	Sharpe
Gilmer	Shell
Isaacks	Turner

Absent—Excused

Boone	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa
Kersey	

HOUSE BILL NO. 741 WITH SENATE AMENDMENTS

Mr. Stanford called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 741, A bill to be entitled "An Act defining the word person and providing that every director, officer, agent, employee or member of any firm, copartnership, association or corporation, participating in, aiding or authorizing any violation

of this Act shall be subject to the punishment provided herein; making it unlawful for any person, with exceptions, to open and refill or re-use the container, can, tank, pump, or other distributing device of any manufacturer, processor or distributor, for the purpose of offering for sale or selling lubricating oils, greases and similar products therefrom when said container, can, tank, pump or distributing device bears the trade-mark, symbol, sign or other distinguishing mark of said manufacturer, processor or distributor, or of his products; providing that the possession of any refilled container, can, tank, pump or distributing device shall be prima facie evidence of possession thereof for the purpose of sale; making it unlawful to imitate the design, symbol, or trade name of recognized brands of lubricating oils, greases or similar products or to expose for sale or sell any such products under any trade-mark, trade name or other distinguishing mark, other than those of the manufacturer, processor or distributor of such products; providing for the enforcement of the provisions herein; prescribing penalties and declaring an emergency."

On motion of Mr. Stanford, the House concurred in the Senate amendments by the following vote:

Yeas—126

Allen	Coker
Allison	Colson, Mrs.
Alsop	Connelly
Avant	Craig
Bailey	Crosthwait
Baker	Daniel
Bean	Deen
Bell	Dickson of Bexar
Benton	Donald
Blankenship	Dove
Bridgers	Duckett
Bruhl	Dwyer
Bullock	Ellis
Burkett	Eubank
Burnaman	Favors
Carlton	Ferguson
Carrington	Files
Cato	Fitzgerald
Celaya	Fuchs
Chambers	Gandy
Clark	Garland
Cleveland	Goodman

Halsey	Martin
Hanna	Matthews
Hardeman	Montgomery
Hargis	Moore
Harris of Dallas	Morgan
Harris of Hill	Morris
Hartzog	Morse
Helpinstill	Murray
Henderson	Pace
Hileman	Parker
Hobbs	Pevehouse
Howington	Phillips
Hoyo	Price
Huddleston	Rampy
Huffman	Reed of Bowie
Hughes	Reed of Dallas
Humphrey	Ridgeway
Jones	Rhodes
Kelly	Roark
Kennedy	Roberts
Klingeman	Sallas
Knight	Senterfitt
Lansberry	Simpson
Lehman	Skiles
Leyendecker	Smith of Bastrop
Little	Spacek
Lock	Spangler
Love	Stanford
Lowry	Stinson
Lucas	Stubbs
Lyle	Taylor
McAlister	Thornton
McCann	Turner
McDonald	Vale
McGlasson	Voigt
McLellan	Walters
McMurry	Wattner
McNamara	Weatherford
Manford	White
Manning	Whitesides
Markle	Winfree

Nays—2

Bray	Davis
------	-------

Absent

Brawner	Gilmer
Brown	Isaacks
Bundy	Sharpe
Crossley	Shell
Evans	

Absent—Excused

Boone	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa
Kersey	

HOUSE CONCURRENT RESOLUTION NO. 133 WITH SENATE AMENDMENTS

Mr. Dove called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 133, To grant W. L. Priddy permission to sue the State.

On motion of Mr. Dove, the House concurred in the Senate amendments by the following vote:

Yeas—127

Allen	Hanna
Allison	Hardeman
Alsup	Hargis
Avant	Harris of Dallas
Bailey	Harris of Hill
Baker	Hartzog
Bean	Helpinstill
Bell	Henderson
Benton	Hileman
Blankenship	Hobbs
Bray	Howington
Bridgers	Hoyo
Bruhl	Huddleston
Bullock	Huffman
Bundy	Hughes
Burkett	Humphrey
Burnaman	Jones
Carlton	Kelly
Carrington	Kennedy
Cato	Klingeman
Celaya	Knight
Chambers	Lansberry
Clark	Lehman
Cleveland	Leyendecker
Coker	Little
Colson, Mrs.	Lock
Connelly	Love
Craig	Lowry
Crosthwait	Lucas
Daniel	Lyle
Davis	McAlister
Deen	McCann
Donald	McDonald
Dove	McGlasson
Duckett	McLellan
Dwyer	McMurry
Ellis	McNamara
Eubank	Manford
Favors	Manning
Ferguson	Markle
Files	Martin
Fitzgerald	Matthews
Fuchs	Montgomery
Gandy	Moore
Garland	Morgan
Goodman	Morris
Halsey	Morse

Murray	Smith of Bastrop
Pace	Spacek
Parker	Spangler
Pevehouse	Stanford
Phillips	Stinson
Price	Stubbs
Rampy	Taylor
Reed of Bowie	Thornton
Reed of Dallas	Turner
Ridgeway	Vale
Rhodes	Walters
Roark	Wattner
Roberts	Weatherford
Sallas	White
Senterfitt	Whitesides
Simpson	Winfree
Skiles	

Absent

Brawner	Gilmer
Brown	Isaacks
Crossley	Sharpe
Dickson of Bexar	Shell
Evans	Voigt

Absent—Excused

Boone	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa
Kersey	

RELATIVE TO HOUSE BILL NO. 971

Mr. Lyle moved to reconsider the vote by which the House concurred in Senate amendments to House Bill No. 971.

The motion prevailed.

Mr. Lyle withdrew the motion that the House concur in Senate amendments.

On motion of Mr. Lyle, the House refused to concur in Senate amendments to House Bill No. 971 and a Conference Committee was requested to adjust the differences.

(Mr. Lock in the Chair.)

HOUSE CONCURRENT RESOLUTION NO. 209 WITH SENATE AMENDMENTS

Mr. Harris of Hill called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 209, To grant Heiner

B. McPherson permission to sue the State.

On motion of Mr. Harris of Hill, the House concurred in the Senate amendments by the following vote:

Yeas—123

Allen	Hobbs
Allison	Howington
Alsup	Hoyo
Avant	Huddleston
Bailey	Huffman
Bean	Hughes
Bell	Humphrey
Benton	Jones
Blankenship	Kelly
Bray	Kennedy
Bridgers	Klingeman
Brown	Knight
Bruhl	Lansberry
Bullock	Lehman
Bundy	Leyendecker
Burkett	Little
Carlton	Lock
Carrington	Love
Cato	Lowry
Celaya	Lucas
Chambers	McAlister
Clark	McCann
Cleveland	McDonald
Coker	McGlasson
Colson, Mrs.	McLellan
Connelly	McMurry
Craig	Manford
Crosthwaite	Manning
Daniel	Markle
Davis	Martin
Dickson of Bexar	Matthews
Donald	Montgomery
Dove	Moore
Duckett	Morgan
Dwyer	Morris
Ellis	Morse
Eubank	Murray
Favors	Pace
Ferguson	Parker
Fitzgerald	Pevehouse
Fuchs	Phillips
Gandy	Price
Garland	Rampy
Goodman	Reed of Bowie
Halsey	Reed of Dallas
Hanna	Ridgeway
Hardeman	Rhodes
Hargis	Roark
Harris of Dallas	Roberts
Harris of Hill	Sallas
Hartzog	Senterfitt
Helpinstill	Simpson
Henderson	Skiles
Hileman	Smith of Bastrop

Spacek
Spangler
Stanford
Stinson
Stubbs
Taylor
Thornton
Turner

Vale
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Present—Not Voting

McNamara

Absent

Baker	Gilmer
Brawner	Isaacks
Burnaman	Lyle
Crossley	Sharpe
Deen	Shell
Evans	Voigt
Files	

Absent—Excused

Boone	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa
Kersey	

HOUSE BILL NO. 425 WITH SENATE AMENDMENTS

Mr. Bell called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 425, A bill to be entitled "An Act to amend Article 5949, Revised Civil Statutes of 1925, as amended by Acts of the Forty-sixth Legislature, page 498, Regular Session, 1939, so as to provide for appointment of notaries public by the Secretary of State of the State of Texas; prescribing their qualifications and terms of office; providing that this Act shall not affect the terms of those persons who have qualified as notaries public prior to the effective date hereof, and declaring an emergency."

On motion of Mr. Bell, the House concurred in the Senate amendments by the following vote:

Yeas—119

Allen	Baker
Allison	Bean
Alsup	Bell
Avant	Benton
Bailey	Blankenship

Bridgers	Lehman
Brown	Leyendecker
Bruhl	Little
Bullock	Lock
Bundy	Love
Burkett	Lowry
Burnaman	Lucas
Carrington	Lyle
Cato	McAlister
Celaya	McCann
Chambers	McDonald
Clark	McGlasson
Cleveland	McLellan
Coker	McMurry
Colson, Mrs.	McNamara
Connelly	Manning
Craig	Markle
Crosthwait	Martin
Daniel	Matthews
Davis	Montgomery
Deen	Moore
Dickson of Bexar	Morgan
Donald	Morris
Dove	Morse
Duckett	Pace
Ellis	Parker
Eubank	Pevehouse
Ferguson	Phillips
Files	Price
Fitzgerald	Reed of Bowie
Fuchs	Reed of Dallas
Gandy	Ridgeway
Goodman	Rhodes
Halsey	Roark
Hanna	Roberts
Hargis	Sallas
Harris of Dallas	Senterfitt
Harris of Hill	Simpson
Hartzog	Skiles
Helpinstill	Smith of Bastrop
Henderson	Spacek
Hileman	Spangler
Hobbs	Stanford
Howington	Stinson
Hoyo	Taylor
Huddleston	Thornton
Huffman	Turner
Hughes	Vale
Humphrey	Walters
Jones	Wattner
Kelly	Weatherford
Kennedy	White
Klingeman	Whitesides
Knight	Winfree
Lansberry	

Nays—4

Bray	Stubbs
Murray	Voigt

Absent

Brawner	Carlton
---------	---------

Crossley	Hardeman
Dwyer	Isaacks
Evans	Manford
Favors	Rampy
Garland	Sharpe
Gilmer	Shell

Absent—Excused

Boone	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa
Kersey	

HOUSE BILL NO. 1038 WITH SENATE AMENDMENTS

Mr. Baker called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1038, A bill to be entitled "An Act providing for a closed season on wild deer and wild turkey in Upshur and Camp Counties for a period of five (5) years; prescribing penalties for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

On motion of Mr. Baker, the House concurred in the Senate amendments by the following vote:

Yeas—117

Allen	Davis
Allison	Dickson of Bexar
Alsop	Donald
Avant	Dove
Bailey	Duckett
Baker	Ellis
Bean	Eubank
Benton	Favors
Blankenship	Ferguson
Bray	Files
Bridgers	Fitzgerald
Brown	Gandy
Bruhl	Garland
Bullock	Goodman
Burkett	Halsey
Burnaman	Hanna
Carrington	Hardeman
Cato	Hargis
Clark	Harris of Dallas
Cleveland	Harris of Hill
Coker	Hartzog
Colson, Mrs.	Helpinstill
Connelly	Hileman
Craig	Hobbs
Crosthwait	Howington
Daniel	Hoyo

Huddleston	Murray
Huffman	Pace
Hughes	Parker
Humphrey	Pevehouse
Jones	Phillips
Kelly	Price
Kennedy	Rampy
Klingeman	Reed of Bowie
Knight	Reed of Dallas
Lansberry	Ridgeway
Lehman	Rhodes
Leyendecker	Roark
Little	Roberts
Love	Sallas
Lowry	Senterfitt
Lucas	Simpson
Lyle	Skiles
McAlister	Smith of Bastrop
McCann	Spacek
McDonald	Stanford
McGlasson	Stinson
McLellan	Taylor
McMurry	Thornton
McNamara	Turner
Manford	Vale
Markle	Voigt
Martin	Walters
Matthews	Wattner
Montgomery	Weatherford
Moore	White
Morgan	Whitesides
Morris	Winfree
Morse	

Absent

Bell	Fuchs
Brawner	Gilmer
Bundy	Henderson
Carlton	Isaacks
Celaya	Manning
Chambers	Sharpe
Crossley	Shell
Deen	Spangler
Dwyer	Stubbs
Evans	

Absent—Excused

Boone	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa
Kersey	

HOUSE BILL NO. 918 WITH SENATE AMENDMENTS

Mr. Manning called up from the Speaker's table, with Senate amendment, for consideration of the amendments,

H. B. No. 918, A bill to be entitled "An Act applicable to all counties in

this State having a population of not less than fifty thousand, nine hundred and fifty (50,950), nor more than fifty-one thousand, one hundred (51,100), in all counties having a population of not less than thirty-four thousand (34,000), nor more than thirty-five thousand (35,000), in all counties having a population of not less than ten thousand, seven hundred, seventy-five (10,775), nor more than ten thousand, nine hundred (10,900), and in all counties having a population of not less than twenty-nine thousand, two hundred, twenty-five (29,225), nor more than twenty-nine thousand, two hundred, forty (29,240), according to the last Federal Census, and prescribing the time and place of meeting of the County Board of School Trustees in such counties, etc. and declaring an emergency."

On motion of Mr. Manning, the House concurred in the Senate amendments by the following vote:

Yeas—111

Allen	Ellis
Allison	Eubank
Alsup	Favors
Avant	Ferguson
Bailey	Files
Baker	Fitzgerald
Bean	Fuchs
Bell	Gandy
Benton	Garland
Blankenship	Goodman
Bray	Halsey
Bridgers	Hanna
Brown	Hardeman
Bruhl	Hargis
Bullock	Harris of Dallas
Bundy	Harris of Hill
Burkett	Hartzog
Burnaman	Helpinstill
Carlton	Hobbs
Carrington	Howington
Cato	Hoyo
Clark	Huddleston
Cleveland	Huffman
Coker	Hughes
Colson, Mrs.	Humphrey
Connelly	Jones
Craig	Kelly
Crossley	Kennedy
Crosthwait	Klingeman
Daniel	Knight
Davis	Lehman
Donald	Leyendecker
Dove	Little
Duckett	Love

Lowry	Price
Lucas	Reed of Bowie
Lyle	Reed of Dallas
McAlister	Ridgeway
McCann	Rhodes
McDonald	Sallas
McGlasson	Senterfitt
McMurry	Simpson
McNamara	Skiles
Manford	Smith of Bastrop
Manning	Spangler
Martin	Stanford
Matthews	Stubbs
Montgomery	Taylor
Moore	Turner
Morgan	Vale
Morris	Walters
Morse	Wattner
Murray	Weatherford
Pace	Whitesides
Parker	Winfree
Pevehouse	

Nays—1

Hileman

Present—Not Voting

Dickson of Bexar	Roberts
Lansberry	Voigt
Markle	

Absent

Brawner	Phillips
Celaya	Rampy
Chambers	Roark
Deen	Sharpe
Dwyer	Shell
Evans	Spacek
Gilmer	Stinson
Henderson	Thornton
Isaacks	White
McLellan	

Absent—Excused

Boone	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa
Kersey	

Mr. Ferguson moved to reconsider the vote by which the House concurred in Senate amendments to House Bill No. 918 and to table the motion to reconsider.

The motion to table prevailed.

HOUSE CONCURRENT RESOLUTION NO. 116 WITH SENATE AMENDMENTS

Mr. Harris of Dallas called up from the Speaker's table, with Sen-

ate amendments, for consideration of the amendments,

H. C. R. No. 116, To grant N. D. Lenamond permission to sue the State.

On motion of Mr. Harris of Dallas, the House concurred in the Senate amendments by the following vote:

Yeas—113

Allison	Hobbs
Alsup	Howington
Avant	Hoyo
Bailey	Huffman
Baker	Hughes
Bean	Humphrey
Bell	Kelly
Benton	Kennedy
Blankenship	Klingeman
Bray	Knight
Bridgers	Lansberry
Brown	Lehman
Bruhl	Leyendecker
Bundy	Little
Burkett	Love
Burnaman	Lowry
Carlton	Lucas
Carrington	Lyle
Cato	McAlister
Celaya	McCann
Cleveland	McDonald
Coker	McGlasson
Colson, Mrs.	McLellan
Connelly	McMurry
Craig	McNamara
Crossley	Manford
Crosthwait	Manning
Daniel	Markle
Davis	Martin
Dickson of Bexar	Matthews
Donald	Montgomery
Dove	Moore
Duckett	Morgan
Ellis	Morse
Eubank	Pace
Evans	Parker
Ferguson	Pevehouse
Files	Phillips
Fitzgerald	Price
Fuchs	Reed of Bowie
Garland	Reed of Dallas
Goodman	Ridgeway
Halsey	Rhodes
Hanna	Roberts
Hardeman	Sallas
Hargis	Senterfitt
Harris of Dallas	Simpson
Harris of Hill	Skiles
Hartzog	Smith of Bastrop
Helpinstill	Stanford
Hileman	Stubbs

Taylor	Walters
Thornton	Wattner
Turner	Weatherford
Vale	Whitesides
Voigt	Winfree

Absent

Brawner	Morris
Bullock	Murray
Chambers	Jones
Clark	Rampy
Deen	Roark
Dwyer	Sharpe
Favors	Shell
Gandy	Spacek
Gilmer	Spangler
Henderson	Stinson
Huddleston	White
Isaacks	

Absent—Excused

Allen	Kersey
Boone	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa

HOUSE CONCURRENT RESOLUTION NO. 117 WITH SENATE AMENDMENTS

Mr. Harris of Dallas called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 117, To grant William Trakas permission to sue the State.

On motion of Mr. Harris of Dallas the House concurred in the Senate amendments by the following vote:

Yeas—116

Allison	Cato
Alsup	Celaya
Avant	Clark
Bailey	Cleveland
Baker	Coker
Bean	Colson, Mrs.
Benton	Connelly
Blankenship	Craig
Bray	Crossley
Bridgers	Crothwait
Brown	Daniel
Bruhl	Davis
Bundy	Dickson of Bexar
Burkett	Donald
Burnaman	Dove
Carlton	Duckett
Carrington	Dwyer

Ellis	McGlasson
Eubank	McMurry
Evans	McNamara
Ferguson	Manford
Fitzgerald	Markle
Fuchs	Martin
Gandy	Matthews
Garland	Montgomery
Goodman	Moore
Halsey	Morgan
Hanna	Morris
Hardeman	Morse
Hargis	Murray
Harris of Dallas	Pace
Harris of Hill	Parker
Hartzog	Pevehouse
Helpinstill	Phillips
Hileman	Price
Hobbs	Rampy
Howington	Reed of Bowie
Hoyo	Reed of Dallas
Huddleston	Ridgeway
Huffman	Rhodes
Hughes	Roberts
Humphrey	Sallas
Jones	Senterfitt
Kelly	Simpson
Kennedy	Skiles
Klingeman	Smith of Bastrop
Knight	Spangler
Lansberry	Stanford
Lehman	Stubbs
Leyendecker	Taylor
Little	Turner
Love	Vale
Lowry	Voigt
Lucas	Walters
Lyle	Wattner
McAlister	Weatherford
McCann	Whitesides
McDonald	Winfree

Absent

Bell	McLellan
Brawner	Manning
Bullock	Roark
Chambers	Sharpe
Deen	Shell
Favors	Spacek
Files	Stinson
Gilmer	Thornton
Henderson	White
Isaacks	

Absent—Excused

Allen	Kersey
Boone	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa

HOUSE BILL NO. 682 WITH SENATE AMENDMENTS

Mr. Celaya called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 682, A bill to be entitled "An Act providing that it shall be unlawful for any person to take, catch, ensnare or trap any fish by any means whatsoever in any waters of any public park under the control of the Texas State Parks Board, without the consent of the keeper, caretaker or superintendent of said park; providing a penalty, and authorizing any peace officer to arrest without warrant for a violation of any provision of this Act; and declaring an emergency."

Mr. Celaya moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

HOUSE BILL NO. 931 WITH SENATE AMENDMENTS

Mr. Lock called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 931, A bill to be entitled "An Act declaring it unlawful for any person to kill, take, or have in his possession for purpose of sale in Angelina and Tyler Counties any wild fox or the pelts thereof, providing that this law shall be enforced for a period of two (2) years; providing various exemptions and exceptions; prescribing a penalty for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

On motion of Mr. Lock, the House concurred in the Senate amendments.

HOUSE BILL NO. 1036 WITH SEN- ATE AMENDMENTS

Mr. Sallas called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1036, A bill to be entitled "An Act validating all con-

solidated rural high school districts having a scholastic population of not less than 250 and not more than 700 according to the last preceding scholastic enumeration and located in counties having a population of not less than thirty-one thousand one hundred and twenty (31,120) and not more than thirty-one thousand one hundred and thirty (31,130) inhabitants according to the last preceding Federal Census, created by an act of the County Board of Trustees out of a district or districts which had theretofore been a consolidated school district or districts; validating all elections, the levying of taxes, bond issues and taxes levied therefor and all bonds voted but not issued; providing that this Act shall not apply to any district now involved in tax litigation; and declaring an emergency."

On motion of Mr. Sallas, the House concurred in the Senate amendments by the following vote:

Yeas—120

Allen	Duckett
Allison	Ellis
Alsup	Eubank
Avant	Evans
Bailey	Favors
Baker	Ferguson
Bean	Files
Bell	Fitzgerald
Benton	Fuchs
Blankenship	Gandy
Bray	Garland
Bridgers	Gilmer
Brown	Goodman
Bruhl	Halsey
Bullock	Hanna
Bundy	Hardeman
Burkett	Hargis
Burnaman	Harris of Dallas
Carlton	Harris of Hill
Carrington	Hartzog
Cato	Helpinstill
Celaya	Hileman
Clark	Hobbs
Cleveland	Howington
Coker	Hoyo
Colson, Mrs.	Huddleston
Connelly	Huffman
Craig	Hughes
Crossley	Humphrey
Crosthwait	Isaacks
Davis	Jones
Deen	Kelly
Donald	Kennedy
Dove	Klingeman

Knight	Parker
Lansberry	Pevehouse
Lehman	Phillips
Leyendecker	Price
Little	Reed of Bowie
Lock	Ridgeway
Love	Rhodes
Lowry	Roberts
Lucas	Sallas
Lyle	Senterfitt
McAlister	Simpson
McGlasson	Smith of Bastrop
McLellan	Spacek
McMurry	Stanford
McNamara	Stinson
Manning	Stubbs
Markle	Taylor
Martin	Thornton
Matthews	Turner
Montgomery	Vale
Moore	Walters
Morgan	Wattner
Morris-	Weatherford
Morse	White
Murray	Whitesides
Pace	Winfree

Absent

Brawner	Rampy
Chambers	Reed of Dallas
Dickson of Bexar	Roark
Dwyer	Sharpe
Henderson	Shell
McCann	Skiles
McDonald	Spangler
Manford	Voigt

Absent—Excused

Boone	Kersey
Daniel	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa

MESSAGE FROM THE SENATE

Austin, Texas, June 16, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a Conference Committee to consider further, the differences between the two Houses on Senate Bill No. 402.

Passed

H. B. No. 502, A bill to be entitled "An Act to amend Senate Bill No.

175, being Chapter 15 of the Acts of the Forty-sixth Legislature, approved March 25, 1939, authorizing independent school districts and cities which have assumed the control of public schools situated therein to build or purchase buildings and grounds located within or without the district or city, etc.; and declaring an emergency."

H. B. No. 627, A bill to be entitled "An Act to amend Section 12 of House Bill No. 821, Chapter 462, page 1144, Regular Session of the Forty-fifth Legislature, etc.; and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

CONFERENCE COMMITTEES
APPOINTED

The Speaker announced the appointment of the following Conference Committee on House Bill No. 971:

Messrs. Lyle, Lansberry, Walters, Leyendecker and Celaya.

The Speaker announced the appointment of the following Conference Committee on House Bill No. 711:

Messrs. Vale, Lyle, Hartzog, Leyendecker and Celaya.

HOUSE BILL NO. 79 ON PASSAGE
TO ENGROSSMENT

The Chair laid before the House as special order on its passage to engrossment.

H. B. No. 79, A bill to be entitled "An Act amending Article 4604c, Revised Civil Statutes of Texas, as enacted by Acts of the Forty-first Legislature, 1929, Regular Session, page 260, Chapter 114, providing that each of the parties entering into a contract of marriage in Texas be thoroughly examined by a physician legally licensed to practice medicine in Texas, who at the time of said examination caused to be made of specimens taken from such persons standard serological tests and such other laboratory procedures as are essential to the determination of freedom from syphilis and all other venereal diseases, etc.; and declaring an emergency."

The bill having heretofore been read second time.

Mr. Cato offered the following committee amendments to the bill:

Amend House Bill No. 79 as follows:

By inserting in Section 8, line 24, of the original bill the words, "physician's or laboratory" between the words "said" and "statements."

Amend House Bill No. 79 by adding a new article to be known as Article 4606-A, to be read as follows:

"Article 4606-A. For the purpose of ascertaining all the facts required under the statutes, the County Clerk, at the time the license is applied for, shall examine each of the applicants for the license under oath as to age, residence, occupation, place and date of birth of the parents of each, occupation of the father of each, and the maiden name of the mother of each, which shall be reduced by writing by the County Clerk and subscribed to by the applicants. Said affidavit shall be filed in the County Clerk's office."

The committee amendments were severally adopted.

Mr. Alsup offered the following amendments to the bill:

Amend House Bill No. 79 by striking out the words "actually and thoroughly examined the person named thereon" in line 10 of page 2, and the word "and" in line 11 of page 2 of the printed bill.

Amend House Bill No. 79 by inserting a new section designated as Section 1-A:

"Section 1-A. Upon receipt of any laboratory reports which indicates the possibility of the presence of syphilis or any other venereal diseases, the examining physician shall make, of the person named thereon, an actual and thorough examination, essential to the purpose of determining the presence or absence of the diseases in a transmissible stage."

The amendments were severally adopted.

Mr. Alsup offered the following amendment to the bill:

Amend House Bill No. 79 by adding at the proper place the following:

"No doctor authorized to examine persons desiring to enter into matrimony shall ever charge a fee in excess of \$2 for an examination or a blood test for either male or female."

Mr. McMurry moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—63

Allen	Humphrey
Avant	Isaacks
Benton	Jones
Blankenship	Lansberry
Bray	Love
Bridgers	McGlasson
Brown	McLellan
Bruhl	McMurry
Bullock	Manford
Bundy	Markle
Carlton	Martin
Clark	Montgomery
Cleveland	Moore
Craig	Morris
Davis	Morse
Deen	Parker
Dickson of Bexar	Pevehouse
Donald	Phillips
Dove	Price
Duckett	Reed of Dallas
Ellis	Ridgeway
Evans	Roark
Favors	Roberts
Files	Senterfitt
Goodman	Skiles
Halsey	Stinson
Hanna	Vale
Hardeman	Wattner
Hargis	Weatherford
Harris of Dallas	White
Helpinstill	Winfree
Hileman	

Nays—55

Allison	Carrington
Alsup	Cato
Bailey	Coker
Baker	Connelly
Bean	Crossley
Bell	Crosthwait
Burkett	Dwyer
Burnaman	Ferguson

Fuchs	McNamara
Gandy	Manning
Garland	Matthews
Harris of Hill	Morgan
Hartzog	Murray
Hobbs	Pace
Howington	Rampy
Hoyo	Reed of Bowie
Huddleston	Rhodes
Huffman	Sallas
Hughes	Simpson
Kelly	Smith of Bastrop
Kennedy	Spangler
Knight	Stanford
Lehman	Stubbs
Leyendecker	Taylor
Little	Thornton
Lucas	Walters
McCann	Whitesides
McDonald	

Absent

Brawner	Lowry
Celaya	Lyle
Chambers	McAlister
Colson, Mrs.	Sharpe
Eubank	Shell
Fitzgerald	Spacek
Gilmer	Turner
Henderson	Voigt
Klingeman	

Absent—Excused

Boone	Kersey
Daniel	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa

Mr. Reed of Bowie offered the following amendment to the bill:

Amend House Bill No. 79 by striking out the enacting clause.

Mr. McMurry moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—70

Allen	Bray
Avant	Bullock
Bean	Bundy
Benton	Burkett
Blankenship	Carlton
Brawner	Carrington

Clark	McGlasson
Cleveland	McLellan
Craig	McMurry
Davis	Manford
Deen	Markle
Dickson of Bexar	Martin
Donald	Montgomery
Dove	Moore
Duckett	Morris
Ellis	Morse
Eubank	Murray
Evans	Parker
Favors	Pevehouse
Ferguson	Price
Files	Reed of Dallas
Garland	Ridgeway
Halsey	Roark
Hanna	Senterfitt
Hardeman	Skiles
Harris of Dallas	Smith of Bastrop
Hoyo	Stinson
Huffman	Thornton
Humphrey	Turner
Isaacks	Vale
Jones	Voigt
Kinard	Wattner
Lowry	White
McCann	Whitesides
McDonald	Winfree

Nays—46

Allison	Klingeman
Alsup	Knight
Bailey	Lehman
Baker	Leyendecker
Bridgers	Little
Burnaman	Love
Cato	Lucas
Coker	McNamara
Connelly	Manning
Crossley	Matthews
Crosthwait	Morgan
Dwyer	Pace
Fuchs	Phillips
Gandy	Rampy
Goodman	Reed of Bowie
Hargis	Rhodes
Harris of Hill	Roberts
Helpinstill	Simpson
Hileman	Spangler
Hobbs	Stubbs
Howington	Taylor
Hughes	Walters
Kennedy	Weatherford

Absent

Bell	Fitzgerald
Brown	Gilmer
Bruhl	Hartzog
Celaya	Henderson
Chambers	Huddleston
Colson, Mrs.	Kelly

Lansberry	Sharpe
Lyle	Shell
McAlister	Spacek
Sallas	Stanford

Absent—Excused

Boone	Kersey
Daniel	King
Dickson of Nolan	Mills
Heflin	Nicholson
Howard	Smith of Atascosa
Hutchinson	

House Bill No. 79 was then passed to engrossment by the following vote:

Yeas—68

Avant	Jones
Bean	Kinard
Benton	Lowry
Blankenship	Lyle
Brawner	McCann
Bray	McDonald
Bundy	McGlasson
Burkett	McMurry
Carlton	Manford
Carrington	Markle
Clark	Montgomery
Cleveland	Moore
Craig	Morris
Davis	Morse
Deen	Murray
Dickson of Bexar	Parker
Donald	Pevehouse
Duckett	Price
Dwyer	Reed of Dallas
Ellis	Ridgeway
Eubank	Roark
Evans	Sallas
Ferguson	Senterfitt
Files	Skiles
Fitzgerald	Smith of Bastrop
Garland	Stinson
Halsey	Thornton
Hanna	Turner
Hardeman	Vale
Harris of Dallas	Voigt
Hoyo	Wattner
Huffman	White
Humphrey	Whitesides
Isaacks	Winfree

Nays—49

Allison	Cato
Alsop	Coker
Bailey	Connelly
Baker	Crossley
Bridgers	Crosthwait
Burnaman	Dove

Favors	Lucas
Fuchs	McLellan
Gandy	McNamara
Goodman	Manning
Hargis	Martin
Harris of Hill	Matthews
Helpinstill	Morgan
Hileman	Pace
Hobbs	Phillips
Howington	Rampy
Hughes	Rhodes
Kennedy	Roberts
Klingeman	Simpson
Knight	Spangler
Lansberry	Stubbs
Lehman	Taylor
Leyendecker	Walters
Little	Weatherford
Love	

Absent

Bell	Henderson
Brown	Huddleston
Bruhl	Kelly
Bullock	McAlister
Celaya	Reed of Bowie
Chambers	Sharpe
Colson, Mrs.	Shell
Gilmer	Spacek
Hartzog	Stanford

Absent—Excused

Allen	Hutchinson
Boone	Kersey
Daniel	King
Dickson of Nolan	Mills
Heflin	Nicholson
Howard	Smith of Atascosa

Mr. McMurry moved to reconsider the vote by which the bill was engrossed and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO PLACE HOUSE BILL NO. 79 ON THIRD READING

Mr. McMurry moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 79 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—72

Avant	Bell
Bean	Benton

Blankenship	Kinard
Brawner	Lowry
Bray	Lyle
Bullock	McCann
Bundy	McDonald
Burkett	McGlasson
Carlton	McMurry
Carrington	Manford
Cleveland	Markle
Craig	Montgomery
Davis	Moore
Deen	Morris
Dickson of Bexar	Morse
Donald	Murray
Duckett	Parker
Dwyer	Pevehouse
Ellis	Phillips
Eubank	Price
Evans	Reed of Dallas
Ferguson	Ridgeway
Files	Roark
Fitzgerald	Sallas
Fuchs	Senterfitt
Garland	Skiles
Halsey	Smith of Bastrop
Hanna	Stinson
Hardeman	Thornton
Harris of Dallas	Turner
Harris of Hill	Vale
Hoyo	Voigt
Huffman	Wattner
Humphrey	White
Isaacks	Whitesides
Jones	Winfree

Nays—49

Allison	Knight
Alsup	Lansberry
Bailey	Lehman
Baker	Leyendecker
Bridgers	Little
Burnaman	Love
Cato	Lucas
Clark	McLellan
Coker	McNamara
Connelly	Manning
Crossley	Martin
Crosthwait	Matthews
Dove	Morgan
Favors	Pace
Gandy	Rampy
Goodman	Reed of Bowie
Hargis	Rhodes
Helpinstill	Roberts
Hileman	Simpson
Hobbs	Spangler
Howington	Stubbs
Hughes	Taylor
Kelly	Walters
Kennedy	Weatherford
Klingeman	

Absent

Brown	Henderson
Bruhl	Huddleston
Celaya	McAlister
Chambers	Sharpe
Colson, Mrs.	Shell
Gilmer	Spacek
Hartzog	Stanford

Absent—Excused

Allen	Hutchinson
Boone	Kersey
Daniel	King
Dickson of Nolan	Mills
Heflin	Nicholson
Howard	Smith of Atascosa

(Speaker in the Chair.)

HOUSE BILL NO. 1086 ON SECOND READING

Mr. Fitzgerald moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House bill No. 1086 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107

Allison	Ellis
Alsup	Eubank
Avant	Evans
Bailey	Ferguson
Bean	Files
Benton	Fitzgerald
Blankenship	Fuchs
Bridgers	Gandy
Bundy	Gilmer
Burkett	Goodman
Burnaman	Halsey
Carrington	Hardeman
Cato	Hargis
Clark	Harris of Dallas
Cleveland	Helpinstill
Coker	Hileman
Colson, Mrs.	Hobbs
Connelly	Howington
Crossley	Hoyo
Crosthwait	Huddleston
Deen	Huffman
Dickson of Bexar	Humphrey
Donald	Isaacks
Dove	Jones
Duckett	Kelly
Dwyer	Kennedy

Klingeman	Parker
Knight	Pevehouse
Lehman	Phillips
Leyendecker	Price
Little	Rampy
Lock	Reed of Bowie
Love	Reed of Dallas
Lowry	Ridgeway
Lucas	Rhodes
Lyle	Roark
McAlister	Roberts
McCann	Sallas
McDonald	Senterfitt
McGlasson	Simpson
McLellan	Skiles
McMurry	Smith of Bastrop
McNamara	Spacek
Manford	Stinson
Manning	Stubbs
Markle	Taylor
Martin	Thornton
Matthews	Turner
Montgomery	Vale
Moore	Weatherford
Morgan	White
Morse	Whitesides
Murray	Winfree
Pace	

Nays—13

Brawner	Hughes
Bray	Lansberry
Carlton	Morris
Craig	Voigt
Davis	Walters
Garland	Wattner
Hanna	

Present—Not Voting

Harris of Hill

Absent

Baker	Favors
Bell	Hartzog
Brown	Henderson
Bruhl	Sharpe
Bullock	Shell
Celaya	Spangler
Chambers	Stanford

Absent—Excused

Allen	Kersey
Boone	Kinard
Daniel	King
Dickson of Nolan	Mills
Heflin	Nicholson
Howard	Smith of Atascosa
Hutchinson	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1086, A bill to be entitled "An Act declaring the recent flood in the City of Albany and elsewhere in Shackelford County to be a public calamity; donating and granting to the City of Albany, Texas, for a period of ten years one-half of the State ad valorem taxes collected in Shackelford County for general revenue purposes; declaring the moneys so granted to be trust funds to aid said City in paying interest on and principal of and providing sinking fund for bonds or warrants hereafter issued by said City, etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1086 ON
THIRD READING

The Speaker then laid House Bill No. 1086 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—105

Allen	Eubank
Allison	Evans
Alsup	Ferguson
Avant	Fitzgerald
Bailey	Fuchs
Baker	Goodman
Bean	Halsey
Benton	Hardeman
Blankenship	Hargis
Bridgers	Harris of Dallas
Brown	Helpinstill
Bullock	Hileman
Bundy	Hobbs
Burkett	Howington
Burnaman	Hoyo
Carrington	Huddleston
Cato	Huffman
Chambers	Humphrey
Clark	Isaacks
Cleveland	Jones
Coker	Kelly
Colson, Mrs.	Kennedy
Connolly	Kinard
Crossley	Klingeman
Crosthwait	Lehman
Deen	Leyendecker
Dickson of Bexar	Little
Donald	Lock
Dove	Love
Duckett	Lowry
Dwyer	Lucas
Ellis	McAlister

McCann	Reed of Dallas
McDonald	Rhodes
McGlasson	Roark
McLellan	Roberts
McMurry	Sallas
McNamara	Senterfitt
Manford	Simpson
Manning	Skiles
Markle	Smith of Bastrop
Martin	Spacek
Montgomery	Stinson
Moore	Stubbs
Morse	Taylor
Murray	Thornton
Pace	Turner
Parker	Vale
Pevehouse	Weatherford
Phillips	White
Price	Whitesides
Rampy	Winfree
Reed of Bowie	

Nays—17

Brawner	Knight
Bray	Lansberry
Carlton	Matthews
Craig	Morris
Davis	Ridgeway
Favors	Voigt
Garland	Walters
Hanna	Wattner
Hughes	

Present—Not Voting

Harris of Hill

Absent

Bell	Henderson
Bruhl	Lyle
Celaya	Morgan
Files	Sharpe
Gandy	Shell
Gilmer	Spangler
Hartzog	Stanford

Absent—Excused

Boone	Kersey
Daniel	King
Dickson of Nolan	Mills
Heflin	Nicholson
Howard	Smith of Atascosa
Hutchinson	

Mr. Fitzgerald moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILLS ON FIRST READING

Mr. Hartzog asked unanimous consent to introduce at this time, and have placed on first reading House Bill No. 1088.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Shell:

H. B. No. 1088, A bill to be entitled "An Act to amend Chapter 85 of the First Called Session of the Fortieth Legislature approved June 8, 1927, to authorize a ninety-nine year lease to be issued to the Town of Aransas Pass leasing Ransom Island and certain waters surrounding the same, situated in Nueces County, authorizing the said town to improve or have said area improved for public park purposes and the building of recreational facilities, bathing beaches, wharves, slips and docks, pavilions, clubhouses, habitations, tourist and other cottages, hotels, cafes, stores, filling stations, concessions, bathhouses, channels, causeways, bridges, streets, alleys, utilities and other structures and facilities necessary or desired for the development of the leased area as a place of recreation, amusement and better living; authorizing the reclamation, dredging and filling of any part of the leased area; authorizing the subdivision of the leased area or any part thereof into lots and blocks by surveys and dedicated maps and plats; authorizing said town to sublease all or any part or parts of the leased area for any or all of said purposes; validating all subleases heretofore made by said town of Aransas Pass; providing for the maintenance of said area and for keeping open to the public free of charge such portions as may be necessary to constitute a public place for the recreation and enjoyment of the public; providing for the policing of said area, enlarging the area to be leased; preserving to the State all minerals in and under the leased area with the right of access for drilling and mining purposes and reserving the right to sell any and all available

shell in the leased area; and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

The following House bill introduced today was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Dove:

H. B. No. 1089, A bill to be entitled "An Act for the purpose of providing necessary regulations for the taking of fish from the body of water formed by the waters of the Navasota River within the boundaries of Fort Parker State Park; providing for a special license for one day's fishing; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

ADJOURNMENT

Mr. McNamara moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Humphrey moved that the House recess until 8:00 o'clock p. m., today.

Question recurring on the motion to adjourn, yeas and nays were demanded.

The motion to adjourn prevailed by the following vote:

Yeas—73

Allen	Favors
Allison	Ferguson
Bailey	Files
Baker	Fuchs
Benton	Gandy
Blankenship	Garland
Brawner	Hardeman
Bray	Hargis
Brown	Harris of Dallas
Bundy	Howington
Burkett	Hoyo
Carrington	Huddleston
Cato	Hughes
Chambers	Jones
Clark	Kelly
Connelly	Kinard
Crossley	Lansberry
Deen	Leyendecker
Dickson of Bexar	Little
Dwyer	Lowry
Ellis	Lyle

McAlister	Rampy
McCann	Ridgeway
McDonald	Rhodes
McGlasson	Roark
McLellan	Sallas
McMurry	Smith of Bastrop
McNamara	Spacek
Manford	Spangler
Manning	Stinson
Markle	Thornton
Martin	Voigt
Morgan	Walters
Morse	White
Murray	Whitesides
Pevehouse	Winfree
Price	

Nays—52

Alsup	Humphrey
Avant	Isaacks
Bean	Kennedy
Bell	Klingeman
Bridgers	Knight
Bullock	Lehman
Burnaman	Love
Carlton	Lucas
Celaya	Matthews
Craig	Montgomery
Crosthwait	Morris
Davis	Parker
Donald	Phillips
Dove	Reed of Bowie
Duckett	Reed of Dallas
Eubank	Roberts
Fitzgerald	Senterfitt
Goodman	Simpson
Halsey	Skiles
Hanna	Stanford
Harris of Hill	Stubbs
Hartzog	Taylor
Helpinstill	Turner
Hileman	Vale
Hobbs	Wattner
Huffman	Weatherford

Present—Not Voting

Evans

Absent

Bruhl	Lock
Cleveland	Moore
Coker	Pace
Colson, Mrs.	Sharpe
Gilmer	Shell
Henderson	

Absent—Excused

Boone	Howard
Daniel	Hutchinson
Dickson of Nolan	Kersey
Heflin	King

Mills
Nicholson

Smith of Atascosa

The House accordingly at 5:30 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

State Affairs: House Bills Nos. 1084 and 1086.

Counties: House Bill No. 1085.

Constitutional Amendments: Senate Joint Resolution No. 21.

Penitentiaries: Senate Bill No. 336.

The Committee on Education passed an adverse report on Senate Bill No. 316.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, June 16, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 240, Providing for recess of the Legislature from June 20, 1941, to July 15, 1941, and for sine die adjournment on July 18, 1941.

Has carefully compared same and finds it correctly engrossed.

SMITH of Bastrop, Vice Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, June 16, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 238, Providing for the recall of House Bill No. 971 from the Governor's office.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 16, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 203, Providing for the suspension of the Joint Rules to permit the Senate to consider Senate Bill No. 268 on House Bill day.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 16, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1066, "An Act making an appropriation of the sum of One Hundred and Fifty Thousand Dollars (\$150,000), or so much thereof as may be necessary, out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expense, and to pay the the mileage and per diem of Members and the per diem of officers and employees of the Regular Session of the Forty-seventh Legislature; making an appropriation of the sum of Seven Thousand Dollars (\$7,000) to the State Board of Control out of the General Revenue Fund for the purchase of fuel, water, lights, and machinery for the Capitol Power Plant, and providing effective date of this appropriation; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR June 13, 1941

House Bill No. 1073.

House Bill No. 1066.

House Concurrent Resolution No. 203.

House Concurrent Resolution No. 221.

House Concurrent Resolution No. 225.

June 16, 1941

House Concurrent Resolution No. 238.

In Memory of

Mrs. Epsa Stanford

Mr. Carrington offered the following resolution:

H. S. R. No. 341, In Memory of Mrs. Epsa Stanford.

Whereas, On June 15, 1941, Mrs. Epsa Stanford was killed in a most unfortunate traffic accident on a Texas highway; and

Whereas, Mrs. Stanford was one of the best loved and most signally honored women of Texas in both her public and private life; and

Whereas, She served under the Honorable Pat M. Neff, as his private secretary, during his term as Governor of Texas, and in November, 1924, was appointed to the State Industrial Accident Board and distinguished herself as a member of that Board in such a way that she was reappointed by Governor Dan Moody in 1929 and continued her services on the Board until August 31, 1935; and

Whereas, On that date she was appointed by the Federal Government as Director of Workmen's Compensation under the WPA, setting up for the first time the machinery for the Federal Government in handling this program; and

Whereas, She was advanced to a more responsible position by the Federal Government and served as supervisor of Federal administration under the Unemployment Compensation Program of the Social Security Department; she embraced four States under her supervision in this capacity including Texas, being the only woman among the twenty-one supervisors in the Nation holding similar positions; and

Whereas, The passing of this capable, esteemed citizen and public servant has brought genuine sorrow and a distinct loss to the people of Texas as well as to her own son, her relatives and to her many friends in and out of the Altrusan Club to which she so generously gave of her time and service; and

Whereas, The passing of this distinguished woman among the many distinguished women of Texas emphasized the value of their services to this State; now, therefore,

Be it resolved, by the House of Representatives, That we hereby express our genuine appreciation for the public service and the private life of Mrs. Epsa Stanford and that we are deeply moved and profoundly shocked at her passing in this tragic manner; and

Be it further resolved, That we send copies of this resolution of condolence to her son and his family in their hour of sorrow and that a copy of this resolution be spread upon the pages of the House

Journal of this date and that a copy thereof be sent to her friend and long-time former employer, the Honorable Pat M. Neff, of Waco, Texas, and when this House adjourns today that it do so in respect to the memory of Mrs. Epsa Stanford of Dallas County, Texas.

CARRINGTON,
STANFORD,
McNAMARA,
KINARD,
McGLASSON,
DAVIS,
REED of Dallas,
BLANKENSHIP,
CROSTHWAIT,
HANNA,
HARRIS of Dallas.

The resolution was read second time and was unanimously adopted by a rising vote.

In Memory of
Mrs. E. A. Kavanaugh

Mr. Lansberry offered the following resolution:

H. S. R. No. 342, In Memory of Mrs. E. A. Kavanaugh.

Whereas, On June 12th, 1941, the Divine Creator called from her earthly home Mrs. E. A. Kavanaugh; and

Whereas, This fine and beloved pioneer lady had for over ninety years been an inspiration to those with whom she came in contact; and

Whereas, She was the mother of three sons, Mr. J. H. Kavanaugh, of Round Rock, Texas; Mr. A. R. Kavanaugh, of Austin, Texas; and Mr. A. L. Kavanaugh, of California; and

Whereas, The love and esteem in which she was held was attested by her many friends; and

Whereas, She was a member of the Methodist Church for over seventy years and up until the time of her death was an active worker in the church; now

Therefore, be it resolved, That the House when it adjourns today do so in memory of Mrs. E. A. Kavanaugh and that a page of the House Journal of today be dedicated to her memory and that the Chief Clerk of the House be instructed to send copies of this resolution to members of her family; and

Be it further resolved, by the House of Representatives of the Forty-seventh Legislature, That the Members thereof express the deepest regrets on the passing of this noble character, and that we extend our heartfelt sympathies to the surviving members of her family.

LANSBERRY,
MORRIS,
KNIGHT.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks,

Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rappy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Carlton, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.